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AN HISTORICAL AND STATISTICAL  
ACCOUNT  
OF  
NEW SOUTH WALES,  
BOTH  
AS A PENAL SETTLEMENT  
AND AS A BRITISH COLONY.

BY JOHN DUNMORE LANG, D.D.,  
SENIOR MINISTER OF THE SCOTS CHURCH, AND PRINCIPAL OF THE  
AUSTRALIAN COLLEGE, SYDNEY, NEW SOUTH WALES.

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"We have seen the land, and, behold, it is very good."—JUDGES xviii. 9.

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SECOND EDITION,  
WITH NUMEROUS ADDITIONS, BRINGING DOWN THE HISTORY OF THE  
COLONY TO THE CLOSE OF 1836.

IN TWO VOLUMES.  
VOL. I.

LONDON:  
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1837.

AN HISTORICAL AND STATISTICAL

ACCOUNT

OF

NEW SOUTH WALES,

FROM

AS A PENAL SETTLEMENT

AND AS A BRITISH COLONY.

BY JOHN DUNMORE LANGE, ESQ.

MEMBER OF THE HOUSE OF COMMONS, AND SECRETARY OF THE  
AUSTRALIAN COLONY, NEW SOUTH WALES.

THE FIRST PART OF THIS ACCOUNT WAS PUBLISHED IN 1845.

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WITH SUPPLEMENTARY ADDITIONS, BRINGING DOWN THE HISTORY OF THE  
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EXTRACT FROM THE  
PREFATORY ADVERTISEMENT

OF THE

FIRST EDITION.

HAVING found it necessary to undertake a voyage from New South Wales to England in the month of July, 1833, on business connected with the Australian College, and with the Presbyterian Church in communion with the Church of Scotland, in that colony, and having accordingly obtained leave of absence for twelve months from His Excellency Major-General Sir Richard Bourke, the present Governor of New South Wales, it appeared to me that I could not employ the leisure of a long and dreary voyage more usefully for my adopted country, than in drawing up a series of sketches, for publication in England, illustrative of its past history and of its present condition.

The following work was accordingly commenced immediately after we had lost sight of the Australian land; and the first seven chapters were written chiefly in the high latitudes of the Southern Pacific, before doubling

Cape Horn : the remaining chapters were written during the run from Cape Horn to the British Channel.

A work written in such circumstances must necessarily have many imperfections. In running to the eastward in the high southern latitudes, in which the first part of the work was written, no fewer than thirteen icebergs were seen from the deck of our vessel ; and the process of writing was frequently interrupted—sometimes by intense cold in my own private cabin, at others by the smoke from the ship's stove in the main cabin ; and at others, again, by a sea occasionally breaking over the vessel's side, and dashing a shower of spray over the manuscript through a broken pane in the window of my apartment. In such circumstances repetitions of the same idea, if not also of the same words, are apt to occur ; dull expletives are apt to intrude themselves, and the balancing of periods is scarcely to be thought of.

My object in the work has been threefold :—1st, To afford the reader a correct idea of the history, the tendency, and the working of the transportation system, as it regards the Australian colonies ;—2ndly, To exhibit a faithful representation of the present state of the colony of New South Wales in particular ; and 3rdly, To promote the best interests of that colony, by promoting the emigration of reputable families and individuals to its territory, and by pointing out to the authorities at home the line of policy which it is expedient to pursue for the future, to secure its general welfare and its rapid advancement.

As a penal settlement, the history of New South Wales is unquestionably much more interesting to the



general reader than that of any of the other colonies of the empire. That colony has been the scene of an experiment on the capabilities of man, the progress and the result of which are interesting not merely to Britain, but to Europe—to the world. The general impression in the mother country relative to that experiment decidedly is that it has failed—that the whole system of transportation is bad—that its management is worse, and that it ought forthwith to be discontinued. If this impression should be correct, it will nevertheless be of importance to ascertain whether the failure has been owing to the system or to the management, and what are the causes that have operated in producing so unlooked-for and so unfortunate a result. If, on the contrary, the impression should be unfounded, it is high time that the public should be undeceived.

It is allowed on all hands that there is much in the present state of the Australian colonies to counteract the general tendency and efficiency of the Transportation system. In order, therefore, to show how such a state of things has been arrived at, I found it absolutely necessary, in projecting the present work, to take a retrospective view of the state and progress of the colony from its original settlement to the present time. This retrospect, which I am confident has been taken with candour and impartiality, I have reason to believe will sufficiently explain whatever might otherwise have appeared anomalous in the present aspect and condition of the Australian colonies.

It is scarcely possible to relate facts and events of comparatively recent occurrence, in the progress of

which the evil passions of individuals may have been strongly developed, without giving great offence. It is quite true, as has been quaintly observed by Dr. Fuller, the author of a 'History of the University of Cambridge,' that "a man may hold a candle to lighten posterity so near as to burn his own fingers therewith;" nevertheless, I must add with the worthy Doctor, "I will run the hazard, rather than be wanting to any reasonable desire" on the part of posterity. The history of New South Wales is peculiarly British property; it ought, therefore, most unquestionably to be dealt out agreeably to the principles of British justice, without fear and without favour. I am confident I have adhered to these principles throughout the following work. If in any instance I have unconsciously erred, either in the estimate I have formed of individuals, or in the narrative I have given of facts, I can only say with the heathen, *Humanum est errare*.

London, April, 1834.

## ADVERTISEMENT

TO

### THE SECOND EDITION.

DURING the three years that have elapsed since the publication of the first edition of this work, the colony of New South Wales has undergone various important changes, affecting its whole aspect and character as a British colony ; and has made much greater advances in the march of general improvement, than during any period of equal duration in its previous history. Its vast resources, and the ample means it possesses of counteracting and eventually neutralising the evil influences of its original constitution, as well as of a long period of mismanagement on the part of its rulers, under the operation of the colonial convict system, have during that period been developed to a degree unprecedented in the history of British colonies, and never anticipated by the most sanguine of its friends. These changes, together with the animating prospects they have opened up for the colony, are detailed



in the following pages ; a great part of the work having been re-written, to bring down the history of the colony, in regard to its intellectual, moral, and religious, as well as to its agricultural, commercial, and political state, to the present time. In short, during the last three years the colony has passed through a crisis of the utmost importance in its results to its general welfare in all time coming, and a new and happier era of its existence has undoubtedly commenced. I trust the account I have given of that important period will be found not uninteresting to the general reader, as exhibiting a state of rapid transition in a whole community seldom witnessed in other and older countries ; at all events I am confident it will be found accordant with facts.

As certain exceptions were taken by respectable individuals to the account I had given, in the first edition of this work, of the administration of Governor Bligh, and as it had even been insinuated that that account contained serious misrepresentations, I was led, in making preparations for a second edition, to investigate that portion of our colonial history much more minutely than I had done before. The result of that investigation will be found in its proper place, together with numerous extracts from colonial documents published at the time when the transactions referred to were of comparatively recent occurrence, and justifying the conclusions I had been led to form on less extensive information. The publication of these extracts will probably give offence in quarters in which I should wish to stand well ; but as the early history of the

colony of New South Wales will acquire additional interest among all classes of its inhabitants, as well as in Great Britain and America, in proportion to its increasing importance, not merely as a British colony, but as the destined seat of future and extensive empire, I could not consent to sacrifice one iota of what I consider the interests of truth, especially in a matter of such moment, to mere personal considerations.

Neither have I found it necessary to adopt a different opinion from the one to which I had given expression in the first edition of this work, in regard to the colonial administration of the late Governor, General Darling. The general accordance of that opinion with the facts of the case will, perhaps, be inferred by the candid reader from the circumstance of my representation of His Excellency's character and government having been stigmatised as an unwarranted attack by his friends, and as an unmerited vindication by his enemies. In all such cases the truth generally lies between.

If I had had sufficient leisure to superintend the publication of this work, as well as to prepare it for the press, there are various alterations which I should have made in it, in regard to the arrangement of the matter it comprises, which would have given it a more respectable character in a literary point of view: but the time that has elapsed since my return to England, about seven months ago, has been so completely occupied in travelling to and fro—including five journeys to Scotland, three to Ireland, and a pretty long tour in France, Germany, and Holland—in furtherance of the general objects of my visit to the mother country, that

it has been altogether out of my power to do justice either to the work or to its author; the cabins of steam-boats, and travellers' rooms in hotels, in which a considerable portion of the latter part of it has been written, being but indifferent situations for literary labour. In regard to these blemishes, however, the *gentle reader* is requested to exercise the candour and good feeling for which he was always accustomed to receive credit in the *prefaces* of the olden time.

Liverpool, July 15, 1837.



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AN  
HISTORICAL AND STATISTICAL ACCOUNT  
OF  
NEW SOUTH WALES.

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CHAPTER I.

PROGRESSIVE DISCOVERY OF THE COASTS OF  
NEW HOLLAND.

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*Denique et a nostro diversum gentibus orbem,  
Diversum cœlo, et clarum majoribus astris,  
Remigio audaci attigimus, ducentibus et Dis.*

FRACASTORIUS.

“ Under the guidance of Superior Powers, and in the course of our adventurous navigation, we have at length reached a world differing from our own in its nations, in its climate, and in its sky.”

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THE vast continental island of New Holland, which was long supposed by European philosophers to constitute a part of an imaginary southern continent, equal in extent to Asia or America, was discovered by Don Pedro Fernando de Quiros, a Spaniard of noble family, in the year 1609. De Quiros appears to have made the land,



which he named *Australia del Espiritu Santo*, somewhere about the sixteenth parallel of south latitude, in the vicinity of Torres Straits. Conceiving his discovery of much greater importance than it was likely to have proved, even if prosecuted with ardour, in that early period of the history of modern navigation, De Quiros memorialized the court of Madrid for an expedition to ascertain the limits of the country, and for troops to conquer it for the King of Spain. In this application, however, he was unsuccessful: the Spanish monarch, it seems, was no Alexander; being wisely satisfied, perhaps, with the worlds of which he had already obtained the undisputed sovereignty through the splendid discoveries of Columbus.\*

The northern and western coasts of the island, from the gulf of Carpentaria to the south-western extremity of the land, together with a portion of the southern coast of the neighbouring island of Van Dieman's Land, were discovered during the next forty years by a succession of Dutch navigators. Of this extensive line of coast, the land extending from the tropic of Capricorn to the twenty-eighth parallel of south latitude, was the first discovered. It was fallen in with in the year 1616,

\* It is not absolutely certain whether the land seen by De Quiros was really the main-land of New Holland, or one of the numerous islands to the north-eastward. The French, the Portuguese, the Spaniards, and the Dutch, have all severally laid claim to the honour of having discovered that vast island, or rather continent. It cannot be denied, however, that while De Quiros was the first to maintain the actual existence of a vast southern land, which he asserted he had himself discovered, the Dutch were the first to point out distinctly where it lay; and it is therefore scarcely fair to allow the name *Nieuw Hollandt*, which commemorates the interesting fact, to be entirely forgotten.

by Captain Dirk Hartog, of the Dutch ship *Endraght*, or *Harmony*, and was thence denominated *Endraght's Land*. Two years thereafter, the land extending from the north-west cape to the fifteenth parallel of south latitude was discovered by another Dutch captain of the name of Zeachen, who also appears to have discovered and surveyed a considerable portion of the northern coast, which he named the Land of Arnheim. In the year following, Captain John Van Edels visited the western coast to the southward of Endraght's Land, and gave his name to a part of it about the twenty-ninth parallel of latitude. In the year 1622 the south-west cape was discovered, with the land extending to the northward as far as Van Edel's Land, and was named, probably from the vessel in which the discovery was effected, *Landt van de Leeuwin*, or the *Land of the Lioness*. Five years thereafter, a considerable part of the southern coast was discovered by Captain Peter Van Nuyts, who bequeathed to it his own mellifluous name; and in 1628, the line of coast, intervening between Endraght's Land and the discoveries of Zeachen, was discovered and surveyed by a vessel belonging to the Dutch East India Company, and named *De Witt's Land*, in honour of the commodore who then commanded the Dutch East India squadron. During the same year, Captain Peter Carpenter, a naval commander in the service of the same Honourable Company, to whose enlightened intelligence and persevering enterprise geographical science was thus early and deeply indebted, entered and explored the gulf of Car-

pentaria on the northern coast of the continent;\* and in the year 1642, Abel Jansen Tasman, who was sent from Batavia by His Excellency Anthony Van Dieman, the Dutch Governor General of the Indies, to survey the coast of New Holland, in command of the *Heemskirk* yacht and *Zeehaen* pinnace, discovered *Van Dieman's Land* and the island of *New Zealand*. Anthony Van Dieman had, it seems, a daughter, to whom Tasman was tenderly attached; and while the latter immortalized his patron by giving his name to a territory, which has since been ascertained to be a separate island, and which is now the seat of a flourishing British colony, he conferred a similar distinction on his daughter, by giving her name to the northern extremity of New Zealand. The circumstance may perhaps appear

\* As an instance of the degree of information which is often evinced by persons who write about countries and events with which they are comparatively but little acquainted, my authority for this part of the narrative describes Carpenter as a general in the Dutch East India Company's service; forgetting that in modern times the soldier-officer (as he is usually styled by seafaring men) is always a distinct personage from the sailor-officer, however they may have been anciently identified in Grecian and Roman warfare. The Dutch commander is also stated to have discovered and explored the gulf, which bears his name, on his homeward passage from Batavia to Europe; although the gulf of Carpentaria is many degrees of longitude to the eastward of Batavia, and consequently completely out of the track of vessels homeward-bound from the island of Java. Nay, he is stated to have made his survey of the gulf, which, it is evident, from the slightest inspection of the chart, it must have taken him weeks to effect, while he was in charge of five richly-laden homeward-bound East-Indiamen; as if any naval commander, entrusted with so important a charge, would have ventured to spend his time in making a survey and in forming a chart of the coasts of an unknown country.



trivial to the reader and unworthy of commemoration ; but it happens at this moment to be somewhat interesting to the writer, as *Cape Maria Van Dieman* is at present the nearest land to our good ship on her passage homeward from Port Jackson across the boundless Pacific.\*

The first English navigator who visited the coasts of New Holland was the accurate and indefatigable Dampier, who, it is well known, received his naval education among the Buccaneers of America. Sailing from Accomack in Virginia towards the close of the seventeenth century, to cruise against the Spaniards in the Great South Sea, that eminent navigator, after doubling Cape Horn from the eastward, and then stretching across the Pacific towards the Equator, spent some time on the west coast of New Holland ; and the accounts which he published of his observations, on his return to England, having recommended him to the Earl of Pembroke, who was then at the head of the Admiralty, His Majesty King William III. was induced to give him the command of the *Roebuck* man-of-war, and to send him on a voyage of discovery to New Holland in the year 1699. It would seem, however, that Dampier did not extend his observations beyond the line of coast which had previously been discovered by the Dutch, and his contributions to geographical science accordingly consisted chiefly in a more accurate survey of the coast, and in plain but correct and highly graphical descriptions of the country and its inhabitants.

The east coast of New Holland, extending from the

\* *Cape Maria Van Dieman* was distant about sixty-five leagues to the eastward when this paragraph was written.

thirty-eighth parallel of south latitude to the northern extremity of the land, in latitude  $10\frac{1}{2}^{\circ}$  south, was discovered by the famous English navigator Captain Cook; partly during his first voyage in the year 1770, and partly during his third and last, in the year 1777. These voyages were undertaken chiefly to ascertain the existence or non-existence of a great southern continent; but although this problem, which had occupied the minds of European philosophers, and furnished matter for interesting speculation from the days of De Quiros, was at length solved by our illustrious countryman, in a way that disappointed the anticipations and falsified the conclusions of many; they made known to the world the existence of a vast island, almost equal in extent to the whole continent of Europe, and they led the way to the speedy establishment of a British colony, which at no distant period will unquestionably prove the most valuable of the foreign possessions of the British Crown.

In running along the east coast of New Holland, from the southern extremity of Van Dieman's Land to Port Jackson, in the years 1788 and 1790, Captain Hunter, of His Majesty's ship *Sirius*, who was afterwards Governor of New South Wales, expressed his opinion that a strait or deep gulf would be found to intersect the land between Maria's Island, to the northward of Van Dieman's Land, and the thirty-eighth parallel of south latitude, where the main-land of New Holland had been first fallen in with to the southward by Captain Cook. The reasons he assigned for entertaining this opinion were, that he had observed a strong

current to the eastward on that part of the coast, and that no land had as yet been discovered between the points I have mentioned. It was not, however, till the year 1798 that this opinion was ascertained to be well founded, and Van Dieman's Land, which in all the older charts is represented as the southern extremity of New Holland, discovered to be an island. This important discovery was effected in an open boat by Mr. Bass, a surgeon in the royal navy, who was then stationed on the coast; and as the strait, which separates Van Dieman's Land from the main-land of New Holland, has ever since borne the name of its discoverer, the singularly enterprising spirit of this meritorious officer has very properly been rewarded with that species of immortality, of which men of enterprise and ambition are so passionately fond.

Shortly after the commencement of the late war, Captain Flinders, a name second only to that of Cook, obtained a commission from the Admiralty to survey the coasts of New Holland. As every available vessel in the British navy was at that period employed in the all-absorbing concerns of the French war, the only machine in the shape of a vessel that could be spared to Captain Flinders to survey a most extensive and interesting coast, on which I trust myriads of British subjects may yet find a country and a home, was a miserable and unmanageable hoy. In this vessel Captain Flinders made an accurate survey of a part of the eastern coast, which had been already surveyed in a more cursory manner by Captain Cook, as well as of that portion of



the southern coast which had previously been altogether unknown. He had the misfortune, however, to suffer shipwreck in the course of his voyage ; but having with great difficulty constructed a small-decked boat from the wreck of his vessel, he sailed for the Isle of France, which he was fortunate enough to reach after a most adventurous and perilous navigation. Trusting to a letter of protection he had obtained from the French government previous to his leaving England, and naturally expecting that hospitable reception which a devotee of science had a right to expect in any civilized country in the nineteenth century, Flinders was under no apprehension in entering Port Louis. But in the exercise of that spirit of tyrannical injustice which pervaded the whole government of Napoleon, the unfortunate English navigator was subjected to a long imprisonment, by command of General Decaen, the French Governor of the Mauritius, while all his papers were seized. The object of this barbarous treatment was at length ascertained. A voyage of discovery to the Australian continent had been undertaken by the French government, at the recommendation of the Parisian *savans*, and was actually in progress during the imprisonment of Flinders ; and there is reason to believe that the papers of the hapless Englishman, who was pining in jail at Port Louis, saved the gentlemen, to whom the results of that voyage were afterwards entrusted for publication, a world of trouble ; for in due time a chart of the Australian continent was published at Paris, in which the numerous bays and capes discovered and described by

Flinders were emblazoned with the names of the Emperor Napoleon, and the other short-lived heroes of his ephemeral empire.

To the voyage of the French Admiral D'Entrecasteaux, who was commissioned by the French Government to proceed to the South Seas, in search of the unfortunate La Perouse, in the year 1792, and who discovered and surveyed the narrow channel that bears his name, separating Bruné's island from Van Dieman's Land; as well as to those of Captain Freycinet, of the schooner *Casuarina*, and Captain Baudin, of the corvette *Geographe*—which were undertaken respectively in the years 1803 and 1804—we are also indebted for much and accurate information respecting the southern and western coasts of New Holland \*

Within the last eighteen years, Captain King, of the

\* D'Entrecasteaux' Channel having recently become notorious in the Australian colonies from the loss of three large ships—the convict-ship *George the Third*, and the merchant-ships *Enchantress* and *Wallace*—in the course of twelve months or thereby, on a reef of rocks at its entrance, the following description of the channel, written by a passenger on board the ship *Andromeda*, in the year 1823, may not be uninteresting to the reader: “The reef at the entrance of the channel is called the *Actæon Reef*, from the circumstance of the ship *Actæon*, from the Isle of France, having been wrecked on it early in the year 1823. The reef, which is partly dry at low water, was unfortunately never surveyed; and from the three melancholy instances of shipwreck above-mentioned, in only one of which, however, was there a considerable loss of life, it has been found to extend much farther under water than was supposed. There would have been no danger to apprehend if the entrance of the channel had only been surveyed.”

See! D'Entrecasteaux' Channel opens fair,

And Tasman's Head lies on your starboard bow.

High rocks and stunted trees meet you where'er

You look around; 'tis a bold coast enow.

royal navy, has made two voyages of discovery along the coasts of New Holland, neither of which however has been productive of any important result. There are still therefore many interesting geographical pro-

With foul wind and crank ship 't were hard to wear ;  
A reef of rocks lies westward long and low.  
At ebb tide you may see the Actæon lie  
A sheer hulk o'er the breakers high and dry.

'Tis a most beauteous strait ! The great South Sea's  
Proud waves keep holiday along its shore ;  
And as the good ship glides before the breeze,  
Broad bays and isles appear and steep cliffs hoar,  
With groves on either hand of ancient trees  
Planted by Nature in the days of yore :  
Van Dieman's on the left and Bruny's Isle  
Forming the starboard shore for many a mile.

But all is still as death ! Nor voice of man  
Is heard, nor forest warbler's tuneful song.  
It seems as if this beauteous world began  
To be but yesterday, and the earth still young  
And unpossess'd. For though the tall black swan  
Sits on her nest and sails stately along,  
And the green wild-doves their fleet pinions ply,  
And the grey eagle tempts the azure sky ;

Yet all is still as death ! Wild solitude  
Reigns undisturb'd along the voiceless shore,  
And every tree seems standing as it stood  
Five thousand years ago. The loud wave's roar  
Were music in these wilds ! The wise and good,  
That wont of old as hermits to adore  
The God of Nature in the desert drear,  
Might sure have found a fit sojourning here !

*Aurora Australis ; or, Specimens of Sacred Poetry for the Colonists  
of Australia, Sydney, 1826.*

blems, relative to the physical conformation of that vast *terra incognita*, remaining to be solved by the diligence and enterprise of future navigators.

That many important discoveries will yet be effected along the coasts of New Holland, every intelligent inhabitant of New South Wales is fully persuaded. The line of coast discovered by Captain Cook embraced an extent of not less than two thousand miles. Was it possible, then, that any thing more than the general outline of a coast of such extent could have been ascertained and determined, during the few weeks that were spent in running along it by our distinguished fellow-countryman? Captain Cook was himself eight days at anchor in the open and insecure harbour of Botany Bay; and during that period the naturalists who accompanied him made excursions into the surrounding country in various directions. But the whole party ultimately left the neighbourhood, without even suspecting that they had all the while been lying within eight miles of one of the finest harbours in the world. Moreton Bay, situated between the twenty-seventh and twenty-eighth parallels of south latitude, was in like manner discovered and laid down by Captain Cook, and was afterwards more particularly surveyed by Captain Flinders; but it was only within the last ten years that a large river was discovered flowing into it from the westward, on the rich alluvial banks of which a penal settlement has since been formed. Long after the formation of that settlement, Captain Rous, of His Majesty's ship *Rainbow*, ascertained the existence of two other rivers of considerable magnitude, in running



along the coast between Moreton Bay and Port Jackson; and it is the general impression among intelligent men in New South Wales, that a large river or arm of the sea will, sooner or later, be found crossing the continent to the north-westward, and carrying off its interior waters into the Indian Ocean; as, independently of other considerations, which render such a conformation extremely probable, an archipelago was ascertained to exist in that direction by Captain Dampier, in which the tide rises to an unusual height, and sweeps with an impetuous current along the shores of islands, whose coasts are still untraced on the chart of the world.

“Of all the coasts of the continent of Australia,” observes Mr. Allan Cunningham,—a gentleman to whom geographical science is much indebted for his indefatigable exertions in the interior of the Australian continent, in a paper entitled *A Brief View of the Progress of Interior Discovery in New South Wales*, published in the second volume of the *Journal of the Royal Geographical Society of London*,—“the north-western, as affording encouragement to hope that outlets of internally collected waters might be there discovered, calls for peculiarly minute and patient examination. Upwards of one hundred and thirty years ago, that celebrated navigator, Dampier, whilst on that coast, found the southern parts of De Witt’s Land to consist of a range of islands, (now bearing his name,) among which he remarked such an extraordinary rise and fall of the tides, as induced him to give it as his opinion that the northern part of New Holland was separated from the lands to the southward by a strait; unless,” says he, “the high tides

and indraughts thereabouts should be occasioned by *the mouth of some large river*, which hath often low lands on either side of the outlet, and many islands and shoals lying at its entrance." "This opinion," says Captain Flinders, "he supports by a fair induction of facts; and the opening of twelve miles wide, seen near that part of the coast by Vlaming's two vessels, and in which they could find no anchorage, strongly corroborates Dampier's supposition.

"What those early navigators remarked has been more than abundantly confirmed, lately, by Captain King, whose more extended observations upon the character of the tides, the rushing force of the currents, and other phenomena on those intertropical shores, all lead to the conclusion, that if that peculiarly constituted country furnishes any streams of magnitude, worthy to be compared with those of other continents, the estuaries of such will most assuredly be found on that extensive line of coast.

"At the close of the surveys of this latter very able navigator in 1822, there remained between Dampier's Archipelago, in latitude 22°, and Cape Hay in 14°, about five hundred miles of coast, wholly unsurveyed and unseen. Moreover, there is reason to believe, that even of those portions of that coast which were examined during those voyages, which employed between four and five years, some parts will be found to be rather large groups of islands, the main shore itself being probably far distant to the eastward.

"To complete the survey of that considerable range of coast, the employment of a vessel, thoroughly

equipped for so intricate, dangerous, but, at the same time, most interesting service, would at once settle the great geographical question ; viz. whether or not Australia, with a surface equal nearly to that of Europe, discharges on its coast a river of sufficient magnitude to lead, by a long, uninterrupted course of navigation, to its central regions, by which alone a knowledge of the capabilities of such distant parts of the interior may be acquired, and the produce of the soil be one day conveyed to its coast."

A small steam-boat, or sailing vessel, under the command of an officer of the navy, of the requisite qualifications, could be fitted out from Sydney for the survey of particular portions of the coasts of the Great Australian continent at a very small expense, and could solve the interesting problem referred to, together with many others equally interesting and important, in the course of a few months. Many enterprising officers would be delighted at the opportunity of acquiring honourable fame in such an employment ; and when it is borne in mind, that, besides affording additional stimulus and extension to the commerce of the mother country, it would either facilitate or lead to the permanent settlement of myriads of the superabundant population of Great Britain and Ireland along the fertile shores of the Australian continent, the interesting and important service should not be deferred for a single day. In short, one cannot help wishing, on behalf of the interests of geographical science, that His Majesty's Government would cause an expedition of discovery, or rather a series of such expeditions, to be fitted out

in New South Wales, to examine every inlet along the extensive coasts of Australia, and to trace every navigable stream to its source, that the veil of mystery which still overspreads so large a portion of that great continent may at length be withdrawn. The expedition of Captain Sturt down the Morumbidgee river, in the south-western interior, has fully proved that the best means of penetrating into the interior of the country is by proceeding up the rivers that empty themselves on the coast; and, as navigable rivers have been ascertained to exist in the southern division of the continent, there is reason to believe that the drainage of the other parts of its vast surface will sooner or later be found to be effected in a similar way.



## CHAPTER II.

ESTABLISHMENT OF A BRITISH COLONY AT PORT JACKSON, UNDER THE GOVERNMENT OF CAPTAIN ARTHUR PHILLIP, R.N.

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Tantæ molis erat Romanam condere gentem !

VIRGIL.

“ Vast was the toil to found the Roman state.”

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BEFORE the British colonies of North America were violently severed from the mother country, through unwise if not tyrannical legislation, the southern colonies of North America and the West Indies had for a long time been the only authorized outlets for those criminals in Great Britain and Ireland who had been sentenced to transportation.\* During that period

\* By the statute of 39th Eliz. chap. iv. banishment was decreed for the first time as the punishment of rogues and vagabonds ; but the place of their exile was not particularly specified in that enactment. The practice of transporting criminals to America commenced in the year 1619, in the reign of James I. Great abuses however having been discovered in the mode of carrying the system into operation, the transportation of criminals to America was at length regulated by parliamentary enactment, in the fourth year of the reign of George I. ; and the causes of that enactment are stated in the preamble to be “ the failure of those who undertook to transport themselves ”—a very probable occurrence—“ and the great want of servants in His Majesty’s plantations.”

various expedients had been put in practice, with indifferent success, for conveying the criminals to their destination. It was at length determined, however, by parliamentary enactment, that they should thenceforth be sent out under the superintendence of contractors, who should be obliged "to prove by certificates that they had disposed of them according to the intention of the law." These contractors were empowered to hire the convicts, or, in plainer English, to sell them, to the planters for longer or shorter periods, according to their sentence; and the latter bought them for such sums as they conceived their services during these periods would respectively be worth. This parliamentary slave-trade in the persons of British convicts subsisted till the war of American independence; and as it has been calculated that not fewer than two thousand convicts were annually disposed of in this manner for some time previous to that war, at the average rate of £20 sterling a head, the unchristian and scandalous traffic must have produced a gross revenue to the nation of £40,000 per annum.

"By the contest in America, and the subsequent separation of the Thirteen Colonies, this traffic" (the author of a work of some authority, relative to the earlier state of the colony of New South Wales, very coolly observes) "was of course destroyed." Other expedients were *of course* resorted to; and for some time criminals under sentence of transportation were sent, by way of experiment, to the west coast of Africa.\* But the

\* One of these expedients, which was adopted by parliament in 1779, but was subsequently abandoned in consequence of its supposed imprac-

deadliness of that climate speedily awakened the spirit of humanity, throughout the mother country, in favour of the convicts, and procured the speedy abandonment of a system of transportation, which, under the guise of mercy, was found almost equivalent to an indiscriminate sentence of death.

As the jails, however, were in the mean time crowded with criminals, it was at length determined, after much previous deliberation in the British parliament, to form a penal settlement at Botany Bay, on the east coast of New Holland, which had then been but recently discovered by Captain Cook, and named New South Wales.

The main objects of the British Government, in the formation of the proposed settlement, as expressed by the legislature, as well as by the leading philanthropists and the public press of the period, were,—

I. To rid the mother country of the intolerable nuisance arising from the daily increasing accumulation of criminals in her jails and houses of correction :

II. To afford a suitable place for the safe custody and the punishment of these criminals, as well as for their ultimate and progressive reformation ; and,

III. To form a British colony out of those materials which the reformation of these criminals might gradually supply to the government, in addition to the families of free emigrants who might from time to time be induced to settle in the newly-discovered territory.

These, the reader will doubtless acknowledge, were

ticability, was the establishment of penitentiaries, on a plan devised by the united talents of Judge Blackstone, the Honourable Mr. Eden, and the celebrated Howard.

objects altogether worthy of the enlightened legislature of a great nation : in fact, it was the most interesting and the noblest experiment that had ever been made on the moral capabilities of man : and if *there is joy in heaven among the angels of God over every one sinner that repenteth*, we may well conceive the deep interest which superior intelligences would naturally feel at the establishment of the penal colony on the coast of New Holland—all insignificant and contemptible as it might appear to the great majority of mankind—and the loud burst of joy with which they would have hailed the tidings of its ultimate success.

From the view I have thus given of the objects of government, in forming the proposed settlement, it will appear evident to the reader, that it must have been the intention of the British legislature that the government of the colony of New South Wales should be conducted, in the first instance, on those principles of coercion and moral discipline which are suitable for the government of a jail ; and it will also appear equally evident, that it is the first and the proper business of the writer, in proposing to exhibit a general view of the actual state of the colony, to point out the exact degree, in as far as it can possibly be ascertained, in which this intention has hitherto been realized, or in which each successive colonial administration has been influential in promoting the grand objects of its original establishment. Such therefore will be the object of the writer in the following historical sketches of the progress of the colony, from its first establishment to the present day.



A fleet of eleven sail was assembled at Portsmouth, in the month of March, 1787, for the formation of the proposed settlement on the coast of New Holland. It consisted of His Majesty's frigate *Sirius*, Captain John Hunter, and His Majesty's armed tender, *Supply*, Lieutenant Ball; three store-ships—the *Golden Grove*, the *Fishbourne*, and the *Borrowdale*; and six transports—the *Scarborough*, the *Lady Penrhyn*, the *Friendship*, the *Charlotte*, the *Prince of Wales*, and the *Alexander*. On board of these vessels there were embarked six hundred male, and two hundred and fifty female convicts; the guard consisting of one major-commandant and three captains of marines, twelve subalterns, twenty-four non-commissioned officers, and one hundred and sixty-eight privates. Forty women, wives of the marines, were also permitted to accompany the detachment, together with their children.

Captain Arthur Phillip, of the royal navy,—of whom, as he has thus incidentally become a personage of historical interest in the southern hemisphere, the reader will naturally be desirous of knowing something farther,—was appointed governor of the proposed colony. Captain Phillip was born in London, in the year 1738. His father, Mr. Jacob Phillip, was a native of Frankfurt in Germany, who, having settled in England, maintained his family and educated his son by teaching the languages. Mr. Phillip entered the navy at the age of sixteen, and was present at the taking of *Havannah* in the year 1761, when he gained some prize-money, and was made lieutenant on board the *Stirling Castle*, by Admiral Sir George Pococke. At the close

of the seven years' war, in 1763, Lieutenant Phillip returned to England, and, having married, settled at Lyndhurst in the New Forest. A rupture, however, having taken place shortly after between Portugal and Spain, he offered his services to the court of Lisbon, and was employed in the service of Portugal till the year 1778, when, Great Britain being again embroiled with France, he returned to England. In the year 1779, he was made master and commander, and appointed to the Basilisk fire-ship. Two years afterwards he was promoted to the rank of post-captain, and appointed, first to the Ariadne frigate, and subsequently to the Europe, sixty-four. In January, 1783, he sailed with a reinforcement to the East Indies; but, returning to England very shortly afterwards, he was not again in active service till he obtained his appointment as Governor of New South Wales in the year 1787.

The little fleet which was thus placed under the command of Captain Phillip, and which has ever since been designated by the colonists of New South Wales *the first fleet*, set sail from Portsmouth on the 13th of May, 1787; and, having touched for supplies and stock for the settlement at Teneriffe, Rio de Janeiro, and the Cape of Good Hope, arrived at Botany Bay on the 18th, 19th, and 20th of January, 1788, after a long but comparatively prosperous voyage of eight months and upwards.

Captain Phillip soon found, however, that Botany Bay was by no means an eligible harbour; for although the anchorage was apparently extensive, it was nevertheless open to the full sweep of the easterly winds,

which, whenever they blow violently, as is not unfrequently the case, roll in a heavy sea, which raises a tremendous surf all along the shores of the bay. Besides, the land in its immediate vicinity, which had been described by Sir Joseph Banks as a series of beautiful meadows, abounding in the richest pasture, was found to be nothing but barren swamps and sterile sand.

Greatly disappointed, doubtless, at the miserable prospect which the neighbourhood of Botany Bay afforded for the establishment of a colony, Captain Phillip was thus obliged to go in search of a more eligible site for the proposed settlement, even before the greater number of the convicts had been permitted to land. For this purpose he took with him three boats and several of the naval officers of the fleet, intending to examine Broken Bay, an extensive inlet, which Captain Cook had described, considerably to the northward. In Captain Cook's chart of the coast, however, another opening had been laid down a few miles to the northward of Botany Bay, on the authority of a seaman of the name of Jackson, who had seen it from the fore-top-mast-head, and from whom Captain Cook, who conceived it might possibly be a boat-harbour which it was not worth his while to examine, called it Port Jackson. This opening, which at first had rather an unpromising appearance, Captain Phillip examined; and the result of that examination was the splendid discovery of Port Jackson—one of the finest harbours, whether for extent or for security, in the world. To this harbour the fleet was immediately removed; and

the settlement was ultimately formed on the 26th of January, 1788, at the head of Sydney Cove, one of its numerous and romantic inlets, near a small perennial stream of fresh water, which empties itself into the harbour, and is now called *The Tanks*.

The following account of the landing in Sydney Cove, and the actual formation of the settlement under Captain Phillip, will not be uninteresting to the reader. It is extracted from Collins's 'Account of the Settlements of Port Jackson and Norfolk Island.' It is only necessary to premise that the localities described by Colonel Collins are now the most populous part of the town of Sydney; in which the minimum price of crown land is now £1000 per acre, although in eligible situations it often sells for ten times that amount.

“The governor, Captain Phillip, with a party of marines, and some artificers selected from among the seamen of the *Sirius* and the convicts, arrived in Port Jackson, and anchored off the mouth of the cove intended for the settlement on the evening of the 25th January, 1788; and in the course of the following day sufficient ground was cleared for encamping the officers' guard and the convicts who had been landed in the morning. The spot chosen for this purpose was at the head of the cove, near the run of fresh water, which stole silently along *through a very thick wood*, the stillness of which had then, for the first time since the creation, been interrupted by the rude sound of the labourer's axe, and the downfall of its ancient inhabitants;—a stillness and tranquillity, which from that day were to give place to the voice of labour, the confusion of



camp and towns, and ‘the busy hum of its new possessors.’ That these did not bring with them

Minds not to be changed by time or place,

was fervently to have been wished ; and if it were possible, that on taking possession of Nature, as we had thus done, in her simplest, purest garb, we might not sully that purity by the introduction of vice, profaneness, and immorality. But this, though much to be wished, was little to be expected ;—the habits of youth are not easily laid aside ; and the utmost we could hope in our present situation, was to oppose the soft harmonizing arts of peace and civilization to the baneful influence of vice and immorality.

“ In the evening of this day the whole of the party that came round in the Supply were assembled at the point where they had first landed in the morning, and on which a flag-staff had been purposely erected, and an union-jack displayed, when the marines fired several vollies ; between which the governor and the officers who accompanied him drank the healths of His Majesty and the Royal Family, and success to the new colony. The day, which had been uncommonly fine, concluded with the safe arrival of the Sirius and the convoy from Botany Bay,—thus terminating the voyage with the same good fortune that had from its commencement been so conspicuously their friend and companion.

“ The disembarkation of the troops and convicts took place from the following day until the whole were landed. The confusion that ensued will not be won-

dered at, when it is considered that every man stepped from the boat literally into a wood. Parties of people were every where heard and seen variously employed :—some in clearing ground for the different encampments ; others in pitching tents, or bringing up such stores as were more immediately wanted ; and the spot which had so lately been the abode of silence and tranquillity, was now changed to that of noise, clamour, and confusion ; but after a time order gradually prevailed. As the woods were opened and the ground cleared, the various encampments were extended, and all wore the appearance of regularity.

“ A portable canvas house, brought over for the Governor, was erected on the east side of the cove, which was named Sydney, in compliment to the principal Secretary of State for the Home Department, where also a small body of convicts was put under tents. The detachment of marines was encamped at the head of the cove near the stream, and on the west side was placed the main body of the convicts. The women did not disembark until the 6th of February ; when, every person belonging to the settlement being landed, the numbers amounted to 1030 persons. The tents for the sick were placed on the west side, and it was observed with concern that their numbers were fast increasing. The scurvy, that had not appeared during the passage, now broke out, which, aided by a dysentery, began to fill the hospital, and several died. In addition to the medicines that were administered, every species of esculent plants that could be found in the country were procured for them : wild celery,

spinach, and parsley fortunately grew in abundance about the settlement; those who were in health, as well as the sick, were glad to introduce them into their messes, and found them a pleasant as well as wholesome addition to the rations of salt provisions.

“The public stock, consisting of one bull, four cows, one bull-calf, one stallion, three mares, and three colts, were landed on the east point of the cove, where they remained until they had cropped the little pasturage it afforded; and were then removed to a spot at the head of the adjoining cove, that was cleared for a small farm, intended to be placed under the direction of a person brought out by the Governor.

“Some ground having been prepared near his Excellency’s house on the east side, the plants from Rio de Janeiro and the Cape of Good Hope were safely brought on shore in a few days; and we soon had the satisfaction of seeing the grape, the fig, the orange, the pear, and the apple, the delicious fruits of the Old, taking root and establishing themselves in our New World.

“As soon as the hurry and tumult necessarily attending the disembarkation had a little subsided, the Governor caused His Majesty’s commission, appointing him to be his Captain-General and Governor-in-chief in and over the territory of New South Wales and its dependencies, to be publicly read, together with the letters patent for establishing the courts of civil and criminal judicature in the territory; the extent of which, until this publication of it, was but little known

even among ourselves. It was now found to extend from Cape York, (the extremity of the coast to the northward,) in the latitude of  $20^{\circ} 37'$  south, to the South Cape, (the southern extremity of the coast,) in the latitude of  $43^{\circ} 39'$  south ; and inland to the westward as far as  $135^{\circ}$  of east longitude, comprehending all the islands adjacent in the Pacific Ocean, within the latitudes of the above-mentioned capes."

On the morning of the 24th of January, previous to the removal of the fleet from Botany Bay, a circumstance occurred, which, in ancient times, would, doubtless, have been considered a most favourable omen of the future commercial prosperity of the new settlement, as well as of the wonderful change it was destined to effect in the general aspect and condition of the southern hemisphere. Two large ships under French colours were seen beating into the bay. They proved to be the *Boussole* and the *Astrolabe*, discovery ships, under the command of the unfortunate *La Perouse*. They had lost *M. de l'Angle*, the junior captain, with several of the officers and seamen, and both the ships' long-boats, in an unfortunate skirmish with the natives at the Navigators' Islands, and had consequently come to Botany Bay to refit for the prosecution of their voyage. *M. de la Perouse* remained nearly two months in New South Wales ; and during that period *M. le Receveur*, a French ecclesiastic, of the order of Friars Minims, who accompanied the expedition in the capacity of naturalist, died of wounds he had received at the Navigators' Islands, and was buried at Botany



Bay.\* A mutual interchange of civilities was kept up between the English and French officers while the latter remained on the coast ; and the reader is doubtless aware that this was the last time that either La Perouse or any of his unfortunate fellow-voyagers were either seen or heard of alive by civilized men. After the lapse of forty years, and the unsuccessful issue of a voyage undertaken expressly to ascertain the place and the manner of his fate,† the melancholy truth was at length ascertained a few years ago by Captain Dillon, of the Honourable East India Company's ship *Research*. Both vessels, Captain Dillon ascertained, had struck one stormy night on a dangerous coral reef off the Manicolo or Mallicolo islands, to the northward and eastward of Port Jackson, and had soon gone to pieces. Some of the crew had, it seems, reached the land, and one or two of their number had chosen rather to remain on the island, while the rest had unsuccessfully attempted to reach some civilized country : but the last of the unfortunate survivors had died several years before Captain Dillon visited the island in search of the evidences of their fate. I went on board the *Research*, while she lay at anchor in Port Jackson, on her way to Europe,

\* The following epitaph was inscribed on a monument erected to the memory of M. le Receveur, by La Perouse, at Botany Bay :—

Hic jacet Le Receveur,  
e F. F. Minimis Galliæ Sacerdos,  
Physicus, in circumnavigatione  
Mundi,

Duce de la Peyrouse.

Ob. 17 Feb., 1788.

† The voyage of Admiral D'Entrecasteaux.

to see the interesting reliques discovered by Captain Dillon; and I could not help thinking they possessed an additional interest, from the circumstance of their being thus brought back, in the first instance, to the very country from which the unfortunate navigator himself had last sailed, with such high expectations, upwards of forty years before. That country, I could not help thinking also, was then an interminable forest; and a few miserable convicts from the jails of England had just been landed on its shores. In the interval that had elapsed, the forest had been cleared away; towns and villages had arisen, as if by magic, in the wilderness; and the haunts of the solitary savage were already inhabited by eighty thousand Europeans.\*

When Governor Phillip hoisted the British ensign on the shores of Sydney Cove, they were by no means thickly wooded, as compared with the heavily-timbered alluvial land of the colony on the banks of rivers; but the trees were lofty and of hard timber, and of course difficult to fell.† A sufficient extent of ground had

\* Including the inhabitants of Van Dieman's Land at the period referred to. A monument, bearing the following inscription, has been erected to the memory of M. de la Perouse, at Botany Bay:—

“A la mémoire de Monsieur de la Perouse. Cette terre, qu'il visita en 1788, est la dernière d'où il a fait parvenir de soi nouvelles. Erigé au nom de la France par les soins de MM. Bougainville et Ducampier, commandant la frégate *La Thétis* et la corvette *L'Espérance*, en relâche au Port Jackson en 1825.

Le fondement posé en 1825;

Elévé 1828.”

† As an illustration of the size and quality of the timber that occupied the site of the large and flourishing town of Sydney about forty-eight years ago, I may mention the following circumstance:—On the summit

therefore, in the first instance, to be cleared for a settlement: houses had then to be erected for the principal officers of the colony, with an hospital for the sick, a barrack for the soldiers, huts for the convicts, and a magazine for the stores and provisions.

These operations, however, proceeded but very slowly; for there were only a very few mechanics among the convicts, and still fewer among the sailors and marines. Indeed, there seems to have been a strange want of foresight, on the part of the proper authorities in the mother country, in sending out so very few persons with Governor Phillip, whose abilities could be rendered available in establishing such a settlement as it was intended to form. Besides, the length and confinement of the voyage, and the necessity for subsisting for a long period on salt provisions, as the country afforded no indigenous vegetation for the sustenance of man, subjected the colony to a general attack of the scurvy, under which a number of the convicts, whose constitutions were perhaps but ill adapted to withstand so calamitous a visitation, gradually sunk; while in others it induced that entire prostration of all the energies of

of the ridge on which the Scots Church was erected in the year 1824, a large blue-gum-tree, (a variety of the genus *Eucalyptus*,) of about six or eight feet in diameter, had been cut down about thirty-five years before; but the stump, which had been left standing in the ground, was still to all appearance as fresh, and the root as firmly fixed in the soil, as if it had been cut down only a few days previous. It was found necessary to remove the stump, as it interfered with the line of the foundation of the proposed building; and for this purpose a pile of wood and turf was heaped over it and set fire to; but it took about ten days or a fortnight to burn out the old root.

our nature, which that singular and malignant disease uniformly occasions. Of the convicts embarked in the first fleet, forty had died on the passage, and twenty-eight during the first five months after the settlement was formed. At the expiration of that period, sixty-six were under medical treatment, and two hundred were unable to work.

In these circumstances, Governor Phillip's first care was to provide for the future subsistence of the colony, and to render it, as soon as possible, independent of supplies from England: in this particular, however, he had to encounter a serious difficulty, which, it seems, had not been anticipated. Of the convicts, very few comparatively knew any thing of agriculture, and there was scarcely a single free person in the settlement who was able to instruct them. A few individuals had, indeed, been sent out by Government in the capacity of agricultural superintendents; but, on putting them to the trial, it was found, that although they professed to have been accustomed to the "farming business" in their youth, they were generally quite unacquainted with agricultural operations. In short, for a considerable period after the formation of the settlement, there was only a single individual in the colony—a man whom the Governor had hired in England as his body-servant—who could either manage the convicts successfully or instruct them in agriculture; and this person, unfortunately, died in the year 1791. In such circumstances, the reader will easily conceive how much valuable labour must necessarily have been altogether misapplied, and how much absolutely lost to the colony.



Notwithstanding these discouraging circumstances, land was cultivated in various localities. The first government-farm in the colony was an extent of nine acres of ground in Farm Cove, a little to the eastward of Sydney; but the natural sterility of the soil in that vicinity was extremely unfavourable to agricultural operations, and the crop was consequently very inadequate. A more promising situation was soon found, however, at the western extremity of the harbour, on the banks of a small stream of fresh water about fourteen miles from Sydney. An agricultural settlement was accordingly formed in that locality, which the Governor named *Rosehill*; but finding afterwards that the natives called the place Parramatta, he substituted that name for the one he had given it—thereby exhibiting a degree of common sense, conjoined with a correctness of taste, which, I am sorry to say, has been but seldom evinced by certain of his more ambitious successors. In November, 1791, there were upwards of seven hundred acres of land in cultivation at Parramatta; but as the ground in that vicinity is now considered of very inferior quality, the return could scarcely have been commensurate with the cost of its cultivation. In addition to the natural sterility of the soil then under cultivation, the colony was unhappily visited, during the government of Captain Phillip, with one of those distressing droughts to which it seems periodically subject, and which, occurring at that particular crisis, was sufficient to have damped the ardour of the most sanguine of its friends.

The highly favourable account which Captain Cook

had given of the soil and climate of Norfolk Island, which is situated on the twenty-ninth parallel of south latitude, to the northward of New Zealand, and the expectation that the cultivation of New Zealand flax, which is indigenous on that island, might prove beneficial to the mother country, had induced His Majesty's Government to desire Captain Phillip to form a settlement on Norfolk Island. Mr. King, the second-lieutenant of His Majesty's ship *Sirius*, was accordingly sent thither for that purpose with a small detachment of marines and convicts, amounting in all to twenty-seven persons. Mr. King appears to have acquitted himself with much vigour and ability. Notwithstanding the various discouragements arising from droughts and blighting winds, as well as from the serious depredations of birds, rats, grubs, and thieves, to which the settlement was at first exposed, a large extent of ground was gradually cleared and cultivated; and the prospect of raising subsistence for a considerable population appeared in every respect more favourable than at Port Jackson. The number of persons on the island was in consequence gradually increased by successive detachments of marines and convicts from head-quarters; and in December 1791, about a thousand bushels of wheat were reaped on the island, and five hundred of maize. Mr. King had in the mean time been ordered to England by Governor Phillip with despatches for Government; and for his services in establishing that promising dependency he was rewarded with the rank of master and commander in the navy, and appointed Lieutenant-Governor of Norfolk Island.

Norfolk Island is about seven leagues in circumference, and, except in a few places where the landing is exceedingly unsafe and precarious, is bounded by precipitous cliffs, on which the surf breaks frightfully when the wind blows with violence from any quarter. It appears of volcanic origin, and consists entirely of a series of hills and valleys alternating like the waves of the ocean, each of these valleys being watered with a running stream from the hills. The soil, even to the tops of the highest hills, is the richest vegetable mould, and the vegetation partakes of that intermediate character which distinguishes the temperate regions adjoining the tropics. I have already observed that the *phormium tenax*, or New Zealand flax, is indigenous on the island; and the Norfolk island pine, which attains a diameter of nine feet, and a height of upwards of one hundred and eighty, throwing around it a series of branches at regular intervals, each like a beautiful Prince of Wales' feather, is perhaps the most splendid botanical production in nature. This beautiful island, which appears peculiarly adapted for the cultivation of coffee, if not also for the production of sugar, and in the settlement of which much valuable labour and much British capital had been expended, was at length abandoned, agreeably to instructions to that effect from the Secretary of State for the Colonies, during the government of Captain Bligh; the settlers, who were living on it at the time, being unwillingly removed to a settlement called New Norfolk, in Van Dieman's Land. The change of circumstances experienced by these settlers, of whom there were no fewer than eighty so early as

the year 1791, was by no means so favourable as they had been induced to anticipate; but the island was again taken possession of in the year 1825, during the government of Sir Thomas Brisbane, and it is now occupied as a penal settlement for the colony of New South Wales.

Throughout the whole period of his government, Captain Phillip endeavoured, with a zeal and perseverance, which evinced the correctness of his judgment and the benevolence of his disposition, to conciliate the aborigines of the territory. It was scarcely possible entirely to prevent the injuries they were likely to receive on the part of the wretchedly depraved population which had been landed on their shores; but he uniformly punished such aggressions, when they could be brought home to any particular individual, although it not unfrequently happened that either the aggressor himself or some other white man speedily fell a victim to savage revenge. In humanely endeavouring, on one occasion, to conciliate a large party of the aborigines who had assembled near the mouth of the harbour, by advancing among them alone and unarmed, the Governor was himself speared by a black native, of a tribe residing at some distance from the settlement, who had probably never seen a white man before: but the wound not proving fatal, and the Governor having ascertained that the spear was thrown by the native under misapprehension of his intentions and in self-defence, all measures of retaliation were strictly prohibited.

But all the efforts of the Governor, as well as of other



humane individuals in the colony, to effect the permanent civilization of any of that miserable people, proved utterly abortive. There was no difficulty in inducing individuals of their number, particularly the young, to reside for a time in European families, and to acquire the habits and learn the arts of civilization; but sooner or later they uniformly rejoined the other children of the forest, and resumed the habits of savage life. Bennelong, an intelligent native, of some consequence in his tribe, had been domesticated in the Governor's family, and could acquit himself at table with the utmost propriety. On returning to England, Captain Phillip carried him along with him, and introduced him as an interesting specimen of the aborigines of the colony, in many of the highest circles in the mother country: on returning, however, to his native land, Bennelong speedily divested himself of his European attire, and rejoined his tribe as a naked savage, apparently unimproved in the least degree by his converse with civilized man.

In the year 1788, the number of the aborigines inhabiting the shores of Port Jackson was very considerable: a disease, however, somewhat resembling the small-pox, which appears to have prevailed among them to a great extent, shortly after the establishment of the colony, thinned their ranks very sensibly, and left only a comparatively small number to inherit the invaded patrimony of their forefathers. Numerous dead bodies were from time to time found by the colonists in all directions in the vicinity of the harbour, in the very attitude in which the wretched individuals had died

when abandoned by their tribe from fear of the pestilence. Besides, the natives could not be supposed so utterly devoid of understanding as not to perceive that the occupation of their country by white men was likely to diminish their means of subsistence. "White-fellow come," said an intelligent black native, of a tribe residing beyond the Blue Mountains a few years ago;—"White-fellow come, kangaroo all gone!" This impression, heightened to madness, as it must often have been, by the positive aggressions of the convicts, led not unfrequently, in the earlier years of the colony, to the desultory and abortive, but murderous efforts of savage warfare. *Commandoes*,\* as they are called by the Dutch colonists of South Africa, (for I am happy to say that the English language does not afford a word expressive of the idea,) were of course fitted out against the wretched aborigines; and many of their number, I believe often with but little necessity, fell before the bullets of the military. There is black blood, at this moment, on the hands of individuals of good repute in the colony of New South Wales, of which all the waters of New Holland would be insufficient to wash out the deep and indelible stains! But the vicious example of the convict population of the colony has already done much more to extinguish the miserable remnant of this degraded race, in all the more populous districts of the territory, than could have been effected, in a much longer series of years, by the united agency of war and famine and pestilential disease!

\* Murderous expeditions against the aborigines of a country forcibly taken possession of by Europeans.

It seems, indeed, to be a general appointment of Divine Providence, that the Indian wigwam of North America, and the miserable bark-hut of the aborigines of New Holland, should be utterly swept away by the flood-tide of European colonization ; or, in other words, that races of uncivilized men should gradually disappear before the progress of civilization, in those countries that have been taken possession of by Europeans. Humanity may interpose, for a season, for the preservation of the savage man, and the Christian missionary may endeavour, successfully perhaps in some instances, to raise him from the darkness and the slavery of heathenism to the light and liberty of the gospel ; but European vice and demoralization will, even in free colonies, ere long infallibly produce a rich harvest of misery and death among the choicest flowers of the forest ; and the miserable remnant of a once hopeful race will at length gradually disappear from the land of their forefathers, like the snow from the summits of the mountains on the approach of spring !

Governor Phillip did all, I believe, which a governor could be expected to do, in the peculiarly unfavourable circumstances in which he was placed, for the encouragement and reward of industrious and virtuous persons, and the repression of open immorality. Observing, immediately after the formation of the colony, a tendency to the establishment of a system of profligacy, which was afterwards introduced, and but too generally countenanced, by the practice of men of influence in the territory, he endeavoured, in an address which he delivered to all the inhabitants of the colony on the 7th of

February, 1788, when the act of parliament, establishing the colonial government, was publicly read, to point out the evils that would infallibly arise from such procedure, and “strongly recommended marriage to the convicts, promising every kind of countenance and assistance to those who, by entering into that state, should manifest their willingness to conform to the laws of morality and religion.” And the good effect of this highly politic and Christian recommendation was very speedily apparent; for during the ensuing week no fewer than fourteen marriages were solemnized among the convicts.

In direct opposition, moreover, to an absurd idea which seems to have been taken up by one of his successors, viz. “that the colony was intended exclusively for convicts, and that free people had no right to come to it,” Governor Phillip very speedily perceived the important advantages which the colony was likely to derive from the settlement of virtuous and industrious families of free emigrants in its territory; and accordingly recommended to the home government to hold out every encouragement to such emigrants, and to afford them every assistance.

The following extracts from Governor Phillip’s communications on this subject to the Secretary of State may not be peculiarly interesting to the general reader, but they cannot fail to be interesting to all the respectable inhabitants of New South Wales; as they serve not only to throw much light on the views and objects of the benevolent founders of that colony in regard to its ultimate character and destination, but to furnish a



complete refutation of the preposterous idea to which I have just alluded :—

“ Sydney Cove, Feb. 12, 1790.

“ Here I beg leave to observe to your Lordship, that if settlers are sent out, and the convicts divided amongst them, this settlement will very shortly maintain itself; but *without which the country cannot be cultivated to advantage.* \* \* \* The labour of the convicts *employed in cultivation* has been very short of what might have been expected.”

“ Sydney Cove, Feb. 13, 1790.

“ As the land for several miles to the southward and twenty miles to the westward of Rose Hill, (now Parramatta,) that is, to the banks of the Hawkesbury, is as fine land for tillage as most in England, some few spots excepted, I propose that tract for the settlers who may be sent out. As the labour of clearing the ground of timber will be great, I think each settler should not have less than twenty men on his farm, which I suppose to be from 500 to 1000 acres. It will be necessary to give that number of convicts to those settlers who come out, and to support them for two years from the public stores. In that time, if they are industrious, they will be in a situation to support themselves, and I do not think they would be able to do so in less time. At the expiration of two years, they may return half the convicts they have been allowed, and would want no farther assistance from Government.”

“ Sydney Cove, June 17, 1790.

“ If settlers are sent out, *many difficulties will be re-*

*moved*: they may choose the situations to which I cannot at this moment detach convicts; and I have had the honour of observing, in my former dispatches, that *settlers appear to me to be absolutely necessary.*

“As I thought *the first settlers sent out might require more encouragement than those who might come hereafter*, I proposed, in my last dispatches, giving them a certain number of convicts for two years, and supporting them during that time at the expense of the Crown: *Much will depend on ensuring the success of the first settlers sent out*; who, I presume, will be good farmers: the assistance proposed for them will certainly put them at their ease, if they are industrious; and would not, I apprehend, be any great loss to the Crown.

“*I am desirous of securing the success of the first settlers.* \* \* \* The river Hawkesbury will, I doubt not, offer some desirable situations; and the great advantages of a navigable river are obvious.

“In addition to the officers I shall be able to send to Norfolk Island, I presume that two or three magistrates will be necessary. *If settlers come out for that island, perhaps some amongst them may be found to answer the purpose.*”

“Sydney Cove, July 17, 1790.

“The consequence of the failure of a crop when we no longer depend upon any supplies from Great Britain will be obvious; and *to guard against which is one reason for my being so desirous of having a few settlers*, to whom, as the first, I think every possible encouragement should be given. *In them I should have some resource, and amongst them proper people might be found*

*to act in different capacities, at little or no expense to Government: for as the number of convicts and others increase, civil magistrates, &c. will be necessary."*

The following extract from a letter addressed to Governor Phillip by Mr. Secretary Dundas, *previous to the date of any of the Governor's dispatches above quoted*, will place this matter in a still clearer light, and exhibit the original intentions of His Majesty's ministers, in regard to the organization and constitution of colonial society, in a very interesting point of view :—

“ Downing Street, Feb. 10, 1790.

“ Such settlers as have determined to go will embark in about six weeks with a master-miller and a carpenter. What the number of settlers may amount to, I cannot at present ascertain ; but I think it will fall short of that stated in my last letter (No. 2.) as having made proposals to Government.” Parliamentary Paper, 1792.

It was in consequence of these recommendations, on the part of the first Governor of New South Wales, that several families of free emigrants were conveyed to the colony, at the public expense, in the year 1796, and that the free emigrant settlement of Portland-Head on the banks of the Hawkesbury was formed in the year 1802. The families who emigrated to New South Wales at these periods, were allowed a free passage to the colony, at the expense of Government, a grant of land in the territory, and rations, for eighteen months after their arrival, from the king's stores.

Governor Phillip's practice was in perfect accordance with the idea he had thus formed in regard to the best mode of promoting the advancement and prosperity of the colony; for of the first four grants of land that were made to private individuals in New South Wales, three—comprising an extent of two hundred and sixty acres—were made to persons who had arrived free in the colony, and one—comprising an extent of thirty acres—to an emancipated convict. These grants were all given on the 30th of March, 1791; and the localities assigned them were, the first three on the north, and the fourth on the south side of the creek leading to Parramatta, now called the *Parramatta River*. On the 5th of April following, grants of sixty acres each were given, at the dependency of Norfolk Island, to forty marines, who chose rather to remain in the colony as free settlers, than to return to England with the detachment to which they belonged, and which was then ordered home. On the 18th of July, 1791, twenty-three emancipated convicts were admitted as settlers, having grants of twenty, thirty, or fifty acres allotted them, according to circumstances—some at Prospect, a few miles to the westward of Parramatta; and others between that settlement and the town of Sydney. And on the 17th of August following, twenty additional emancipated convicts received grants of land; ten of ten acres each in Norfolk Island, and the other ten of thirty, fifty, or sixty acres in New South Wales. In all, therefore, eighty-seven grants of land had been given by Governor Phillip up to the 18th of August,



1791 ; forty-three to persons who had arrived free in the colony, comprising an extent of two thousand six hundred and sixty acres ; and forty-four to emancipated convicts, comprising an extent of one thousand five hundred acres.

To each emancipated convict who chose to settle in the colony on the expiration of his sentence, Governor Phillip allotted thirty acres of land ; fifty acres if he was married, and ten acres additional for every child in his family. The settler of this class was also allowed clothing and rations for himself and family from the king's stores, for twelve or eighteen months, together with the necessary implements of husbandry and seed to sow his ground the first year. Two female pigs were added by way of farther indulgence, from the Governor's private stock, to enable the settler to raise a stock of that useful domestic animal for himself ; as there was no live stock of any kind in the colony, at the time in question, belonging to the Crown.

These measures sufficiently evince the theoretical excellence of the system of transportation to New South Wales, as originally devised by the British legislature, and carried into operation by Governor Phillip : they also evince the peculiar adaptation of the means employed for attaining the main object of the settlement of the colony, and the enlightened zeal with which the Governor pursued that object to the utmost of his ability. On the one hand, the length and consequent expense of the voyage to England precluded the convict, on the expiration of the period of his sentence,

from returning thither. I am aware, indeed, that men of morbid sensibility in the mother country have affected to consider this as a great additional hardship. For my own part, as I have very little respect for the patriotism of a thief, or for his love of country, I do think it was not only an allowable, but an admirable device of the legislature, to render the return of such persons to the mother country, in any circumstances, as difficult as possible. On the other hand, the emancipated convict had every inducement to settle in the land of his banishment, and to adopt that mode of life which was certainly the likeliest to wean him from his former habits, and to render him a reputable and a useful member of society. In short, the whole system was admirably devised ; and in order to have proved thoroughly successful, it only required to be managed with the same enlightened zeal and warm benevolence that superintended the first development of its unchecked operation.

The first free emigrant, and indeed the first person of any class in society, who obtained a grant of land in the colony of New South Wales, was a German, of the name of Philip Schoeffer. He had been sent out in the first fleet as an agricultural superintendent, chiefly with a view to attempt the cultivation of tobacco, on account of Government ; as the province of Virginia, from which that article had previously been obtained, had then ceased to be a British colony, and as the soil and climate of New South Wales were supposed likely to prove not unfavourable for its cultivation. Schoeffer's grant was the largest of all those I have enumerated, comprising an extent of one hundred and forty acres.

Unfortunately, however, he had contracted habits of intemperance, and accordingly contrived to get rid of it. He afterwards obtained a grant of fifty acres, in what now constitutes an exceedingly valuable locality in the town of Sydney, but was induced to surrender it to the colonial government for public purposes about the year 1807; receiving as a compensation twenty gallons of rum, which was then worth £3 a gallon, and a grant of similar extent at Pitt Water, one of the inlets of Broken Bay. There had been a female convict in the first fleet—a native of the isle of Skye in Scotland—of the name of Margaret M'Kinnon, who had been transported for the crime of arson, having set fire to her neighbour's house in a fit of jealousy. Schoeffer married this woman and settled on his farm at Pitt Water, where he lived many years; but old age, poverty, and intemperance induced him at length to sell it by piecemeal, and he died at last in the Benevolent Asylum, or Colonial Poor's House. I took the liberty to state the circumstances I have just detailed, in a memorial I addressed to His Excellency General Darling, on behalf of Schoeffer's widow, in the year 1828; adding that a Scotch Highlander, who had formerly been master of the band of His Majesty's 46th regiment, and had settled in the colony when the regiment proceeded to India, was willing to maintain the old woman during her lifetime, provided a small compensation should be allowed him by the Government. General Darling was pleased to order a hundred acres of land to be measured off to the Highlander at Pitt Water, pledging the Government that a grant of the ground should be made to him at the old woman's

death, provided it should appear to the Governor that he had fulfilled the terms of his engagement. About a year after this arrangement had been effected, the Highlander died, and old Peggy is now an inmate of the Benevolent Asylum, where in all likelihood she will spend the remainder of her days.\* English, it would seem, had been but little spoken in the isle of Skye about fifty years ago, and Schoeffer appears to have dealt chiefly in his mother tongue; for the old woman's conversation, in which every sentence commences with the Gaelic particle *agus* and concludes with the German verb *verstehen*, (used interrogatively to ascertain whether she is fully understood,) is the most singular specimen of the Babylonish dialect I have ever heard. I have introduced this episode, chiefly to point out the sort of accidents on which the acquisition of wealth in a new country not unfrequently depends; for if Schoeffer had only retained his fifty-acre farm in Sydney for about thirty years longer, he could actually have sold it for at

\* I was not a little surprised and mortified at the same time to find, from a communication made to me on the subject by the Colonial Government, in the year 1835, that the Highlander's son, a native of the colony, who keeps a public house, had made over all his right and title to the hundred acres of land to Father Therry, a Roman Catholic priest in New South Wales; I presume in consideration of having a certain number of masses performed for the soul of every sinner of the family—at the regular chapel price! I wrote to the Government in reply, stating, that neither the Highlander nor his son had ever any right to the land, which belonged to the Benevolent Asylum, and not to Father Therry, who had no claim to it whatever. I made no farther inquiries on the subject; but the circumstance is somewhat instructive, as it shows us how church lands used to be acquired—by clever people—in the dark ages.



least £100,000, which, at the usual rate of interest in the colony, would have yielded him a permanent income of £10,000 a year.

Governor Phillip was particularly active in exploring the country round Sydney, and in ascertaining its capabilities : he caused an accurate survey to be made of Botany Bay, Port Jackson, and Broken Bay ; and in examining the numerous inlets of the last of these harbours, he was fortunate enough to discover a large river, which he traced for upwards of a hundred miles from its mouth, and named the *Hawkesbury*. The banks of this river, which in the upper part of its course consist chiefly of the richest alluvial soil, were for thirty years afterwards the granary of New South Wales.

It was in conducting the colony, however, with much firmness and discretion, through a period of distressing privation, to which it was subjected by an unforeseen calamity during his administration, and in alleviating the sufferings of the colonists by every means in his power, that Governor Phillip merited the highest commendation. It had been arranged, previous to his leaving England, that the settlement should never be left without a twelvemonth's provisions in the king's stores. In pursuance of this arrangement, His Majesty's store-ship *Guardian* had been despatched from England in the month of August, 1789, with a large supply of provisions and other stores for the settlement. The *Guardian* was commanded by Lieutenant Riou, of the royal navy, an officer of great promise, who afterwards commanded a ship of the line,

and was killed at the battle preceding the seizure of the Danish fleet at Copenhagen ; on which occasion the celebrated Lord Nelson, in alluding to his death in his despatch to government, lamented him as *the gallant and the good Riou*. Captain Riou had gone considerably farther to the southward than the route now generally pursued by vessels bound to New South Wales ; besides, it was the middle of summer when he reached the southern latitudes, and the prevalence of southerly winds for some time before had brought down a quantity of ice from the southward ; for during the night of the 23rd December, 1789, his vessel unfortunately struck an iceberg, in lat.  $46^{\circ}$  or  $47^{\circ}$  S. to the southward and eastward of the Cape of Good Hope, and received so much injury that she was almost immediately afterwards nearly filled with water. Finding her almost a complete wreck, Captain Riou assembled the officers, passengers, and crew, and, pointing out to them the state of the vessel, told them that if any of them preferred leaving the ship, they should have boats, provisions, and nautical instruments, to enable them to reach the nearest accessible land ; but that he himself was determined to remain on board while she continued to float. Most of the ship's company and passengers preferred leaving the vessel ; and three boats were accordingly provisioned and manned, and their crews left the ship on their dreary and almost hopeless voyage up the Indian Ocean ; for as westerly winds are the most prevalent in these latitudes, they could not expect to reach the Cape of Good Hope. One of them only had the good fortune, after suffering extreme privations, to

reach the Isle of France, for which, it seems, they had all steered ; the other two never reached the land.

Most providentially for those who remained on board the *Guardian*, Captain Riou had caused the water-casks to be carefully bunged up, as they had been successively emptied on the former part of the voyage. The vessel, being thus much more buoyant than she would otherwise have been, continued to float, though nearly full of water ; but as she had lost her rudder, in addition to the other damage she had sustained from her collision with the iceberg, she was tossed about at the mercy of every tempest, and her greatly diminished crew were doomed to suffer the severest privations. A French frigate, however, having at length fallen in with her near the Cape of Good Hope, towed her into Table Bay, where she was afterwards completely wrecked in a gale.

The disappointment of the colony at the non-arrival of the *Guardian* may be easily conceived. It was grievously heightened by the arrival of the *Lady Juliana* transport, with additional convicts from England, who had been despatched some time after the sailing of the *Guardian*, in expectation of the previous arrival of the stores forwarded by that vessel. His Majesty's ship *Sirius*, Captain Hunter, had been despatched to the Cape of Good Hope by way of Cape Horn for a supply of provisions for the settlement, in the month of September, 1788, and had returned to Sydney, after circumnavigating the globe, in May, 1789 ; but that supply was at length nearly exhausted, and famine was already beginning to stare the colonists in

the face ; for in the month of February, 1790, there were not four months' provisions in the colony, even at half allowance.

In these circumstances, Governor Phillip deemed it necessary to divide the settlement, by sending the Lieutenant-Governor, Major Ross, with a number of marines and convicts, to Norfolk Island, where he understood there were resources, which Port Jackson and the country around it did not afford. Major Ross and his officers, with two companies of marines and about two hundred convicts, together with a fair proportion of the remaining provisions and other stores, were accordingly embarked for Norfolk Island, on board His Majesty's ships *Sirius* and *Supply*, and arrived at that island on the 13th of March, 1790. The officers, marines, and convicts, to the number of two hundred and seventy persons, were all safely landed by the 15th ; but the wind suddenly shifting to the eastward, the two ships, containing all the provisions and stores, were immediately after driven to sea. They made the land again on the 19th ; and observing the customary signal on shore, informing them that a landing might be effected without danger from the surf, every exertion was made to bring the vessels into a proper position for that purpose : but, in doing so, the *Sirius* most unfortunately struck on a reef of coral rocks in the roadstead, and was totally wrecked, within sight of the half-famished settlement. In the evening after the frigate struck, the wind freshened again, and it was consequently no longer practicable to effect a landing by boats. As it was considered dangerous in



the extreme, however, to remain longer on board the frigate, a strong hawser was carried out from the wreck, and fixed to a tree on shore, by means of a rope which was floated on shore through the surf by an empty cask ; and by that perilous conveyance Captain Hunter and his ship's company were all successively dragged in safety, through a heavy surf and over a ragged reef, to the land. The weather subsequently becoming somewhat more favourable, the greater part of the provisions was at length happily saved from the wreck ; but the officers' baggage and the other stores were for the most part lost or destroyed in attempting to float them on shore.

When the excitement produced by this distressing calamity had somewhat subsided, the Lieutenant-Governor, finding that there were five hundred and six persons on the island with provisions at half allowance for only a very short period, deemed it necessary, in consideration of the alarming situation of the settlement, and the desperate character of the majority of the convicts, to proclaim martial law in the island. This was accordingly done with great solemnity ; every person on the island, from the Lieutenant-Governor to the meanest convict, testifying his assent to the measure by passing successively under the King's colours. As the Supply had sailed for Port Jackson a few days after the wreck of the frigate, hopes were entertained for several weeks of her speedy return to the island with the joyful intelligence of the arrival of a store-ship with supplies from England : but as week passed after week without any tidings of a vessel, it was at length

concluded that no vessel had arrived, and that the Governor had been obliged, as was actually the case, to send off the Supply to Batavia or the Cape for provisions for the settlement. In this deplorable situation a council of the officers on the island was held on the 14th of May, 1790, and the following "General Order" was published:—

"At a meeting of the Governor and Council, held to consider of the very exhausted state of the provisions in this settlement, and to consult upon what means are most proper to be pursued, in order to preserve life until such time as we may be relieved by some arrivals from England, of which we have been so long in expectation, but probably disappointed by some unfortunate accident having happened to the ships intended for this country; the state of the provisions having been laid before the Council, and the alarming situation of the settlement having been taken into the most serious consideration, the following ratio of provisions was unanimously resolved and ordered to take place on Saturday the 15th instant; viz.:—

"Flour—three pounds per week for every grown person.

"Beef—one pound and a half per ditto; or, in lieu of the beef, seventeen ounces of pork.

"Rice—one pound per ditto.

"Children above twelve months old, half the above ratio. Children under twelve months old, one pound and a half of flour, and a pound of rice per week. In future, all crimes which may by any three members of the Council be considered as not of a capital nature,

will be punished at their discretion, by a farther reduction of the present allowance of provisions.”\*

In these distressing circumstances, Divine Providence provided a temporary relief for the settlement, equally welcome and unexpected. In the quarter from which it came, it was like the manna that was rained from heaven around the tents of Israel in the wilderness, or rather like the quails that on one occasion fell for an extent of three days' journey around their encampment. “In the month of April,” Captain Hunter observes, in his narrative of the proceedings at Norfolk Island, “we found that Mount Pitt, which is the highest ground on the island, was, during the night, crowded with birds. This hill is as full of holes as any rabbit-warren: in these holes at this season these birds burrow and make their nests; and as they are an aquatic bird, they are, during the day-time, frequently at sea in search of food: as soon as it is dark, they hover in vast flocks over the ground where their nests are. Our people, (I mean seamen, marines, and convicts) who are sent out in parties to provide birds for the general benefit, arrive upon the ground soon after dusk, where they light small fires, which attract the attention of the birds, and they drop down out of the air as fast as the people can take them up and kill them. When they are

\* The insufficiency of the allowance issued at Norfolk Island, at the period in question, may be judged of even by those who are unaccustomed to such a mode of calculating the amount of provisions required for the sustenance of a healthy person, by comparing it with the ration usually issued to convicts in New South Wales, which is ten pounds and a half of flour and seven pounds of beef per week, with an allowance of tea and sugar.

upon the ground, the length of their wings prevents their being able to rise; and until they can ascend an eminence, they are unable to recover the use of their wings: for this purpose nature has provided them with a strong, sharp, and hooked bill, and in their heel a sharp spur, with the assistance of which, and the strength of their bill, they have been seen to climb the stalk of a tree sufficiently high to throw themselves upon the wing. This bird, when deprived of its feathers, is about the size of a pigeon, but when clothed is considerably larger, for their feathers are exceedingly thick: they are web-footed and of a rusty black colour: they make their holes upon the hills for breeding their young in: they lay but one egg, and that is full as large as a duck's egg. They were, at the end of May, as plentiful as if none had been caught, although for two months before there had not been less taken than from two to three thousand birds every night: most of the females taken in May were with egg, which really fills the whole cavity of the body, and is so heavy, that I think it must fatigue the bird much in flying. This *bird of Providence*, which I may with great propriety call it, appeared to me to resemble that sea-bird in England called the puffin: they had a strong fishy taste; but our keen appetites relished them very well: the eggs were excellent."\*

The colonists at head-quarters were in the mean time

\* An Historical Journal of Transactions at Port Jackson and Norfolk Island, &c., by John Hunter, Esq., Post-Captain in His Majesty's navy. London, Stockdale, 1793, pages 180 and 181.



reduced to similar, if not greater extremities, there being no birds, like the Norfolk Island peterel, to be caught near Sydney. The whole colony was for a long time on half allowance ; but even that quantity being found greater than the King's magazines could afford for any length of time, without in all probability subjecting the settlement to the horrors of absolute famine, a farther reduction was ordered. Indeed, the privations and sufferings of the first colonists at this period were extreme. A wealthy and respectable inhabitant of Sydney, who arrived in the colony as a free person during the government of Governor Phillip, has told me that his ration for a long period was merely a cob or single head of Indian corn a day, and that *for three years he had lived in the colony in the constant belief that he should one day perish of hunger!* And yet, strange and unaccountable as it may seem, there was no such thing as suicide heard of in the colony, in these times of real suffering, when Death was, as it were, paying a daily visit to every inhabitant of the country in one of his most frightful forms. It was not until fulness of bread had induced a spirit of pride on the one hand, and of wasteful extravagance and dissipation on the other, that life in New South Wales was in any instance discovered to be a burden too heavy to be borne.

The energy and decision of character, tempered with the utmost humanity, which Governor Phillip uniformly evinced in these trying circumstances, was a powerful means of inducing the colonists to submit to so calamitous a dispensation of Providence with unmurmuring

patience. The Governor received daily the same ration as the meanest convict in the territory ; and on those occasions on which the established etiquette rendered it necessary that he should invite the officers of the colony to dine with him at Government House, he usually intimated that they must bring their bread along with them, as he had none to spare. On one of these occasions a humorous officer is said to have marched up to Government House with his loaf—one doubtless of very small dimensions—stuck upon the point of his sword. Indeed, it was greatly owing to the prudent management of Governor Phillip, that the settlement was not entirely abandoned (for the proposal to abandon it was actually made, but overruled by the Governor) amid the real hardships that attended its original formation. Various interesting traits of his character in this respect are still mentioned with interest by the older inhabitants of the colony : one of these is sufficiently characteristic :—On seeing any person with a dog in the course of his walks through the settlement, indignant at the maintenance of a useless mouth in the colony, and yet desirous that the owner of the dog should have a more valuable domestic animal, he would say, “ Kill your dog, sir, and I will order you a pig from the store.”

During this period of suffering, the whole of the live stock belonging to Government, which had been brought to the colony from the Cape with so much trouble and at so great an expense, was killed for the subsistence of the settlement ; and as the insufficiency of the ration issued from the King's store induced a

state of extreme bodily exhaustion, all the Government works were suspended, and every person, whether free or bond, was allowed to employ himself for his own benefit as he chose.

The long-expected relief at length arrived. In the end of June, 1790, three transports arrived in Port Jackson, containing part of the stores which had been saved from the *Guardian*; and in the course of the year following, His Majesty's ship *Gorgon*, which had been converted for the time into a store-ship, together with ten transports containing convicts, and constituting what has ever since been known in the colony as the *Second fleet*, also arrived. On board these vessels there had been embarked in England one thousand six hundred and ninety-five male, and sixty-eight female convicts, of whom no fewer than one hundred and ninety-four males and four females died on the passage out; and such was the state of debility in which the survivors landed in the colony, that one hundred and sixteen of their number, viz. one hundred and fourteen males and two females, died in the Colonial Hospital before the 15th of December, 1791.

Indeed, the mortality, both on shore and on the voyages undertaken to and from the colony in the earlier years of its existence, was great beyond all comparison with the experience of later years. In the transports that are now hired by Government to convey convicts to New South Wales, the average mortality is perhaps not greater than two or three deaths for each vessel during the passage out; and there are frequent instances of vessels arriving from England without

having had a single death during the voyage. In the second fleet, however, the average mortality was twenty for each vessel; and the survivors, it would seem, were half-dead, or at least quite unfit for labour when they landed.\* This argues a prodigious change for the better in the system of transportation, in so far as relates to the passage out, equally creditable to the

\* Mr. E. G. Wakefield has stated, in his evidence before a Committee of the House of Commons, that the mortality during the passage out amounted, in the earlier times of the colony, to one half of the whole number embarked in many instances, and in some, if I am not greatly mistaken, (for I mention the circumstance merely from memory,) to two-thirds of the original cargo. For my own part, I have never heard of any such mortality on the voyage to New South Wales. Great abuses were undoubtedly practised, so long as convicts were carried out by contractors at so much per head; for it appeared, on an investigation which was instituted in the colony at the suggestion of Captain Parker, of His Majesty's ship *Gorgon*, that some of the captains of transports had very much abridged the convicts of the allowance stipulated by Government for their subsistence; this inhuman practice having been carried to such an extent in some of the ships, that many of the convicts had been literally starved to death. Still, however, I am confident that Mr. Wakefield's statement is greatly exaggerated. From a parliamentary return, ordered by the House of Commons to be printed, 6th May, 1816, containing an "Account of the number of convicts who have died in their passage to New South Wales, since the year 1810," it appears, that of nineteen ships, on board of which 3371 convicts had been embarked, there was one ship, *The Friends*, in which no death had occurred during the passage; four in which the deaths were one in each; five in which there had been two deaths in each; two in which there were three deaths; three in which there were four; one in which there had been five; one in which there had been ten; one in which there were as many as thirty-four deaths out of three hundred convicts; and one, *The Surrey*, in which there had been no fewer than thirty-six deaths, out of two hundred convicts. In the last of these vessels, a malignant fever, of which the captain, the first and second officers, and several of the crew died, had prevailed during the passage. No such calamity has occurred during the last twenty years.



British Government, and gratifying to the philanthropist.

The mortality on shore during the first years of the colony, contrasted with the universally acknowledged salubrity of the climate of New South Wales for many years past, may easily be accounted for. It arose,—

1st, From the effects of the very inferior system of management on ship-board during the voyage out, as evinced in the case of the convicts of the second fleet, contrasted with the high state of health in which convicts now generally arrive in the colony.

2nd, From long confinement to a ration of salt provisions, sometimes of inferior quality, and generally in insufficient quantity ; and

3rd, From the mental despondency which an insufficient allowance of provisions, conjoined with the miserable prospect which the colony then appeared to hold forth to all parties, naturally induced.

The sufferings experienced from the second of these causes on board the vessels constituting the first fleet, on their return to England from Port Jackson, were exceedingly great. Four of these vessels sailed from Sydney, by the northern passage, round the continent of New Holland, under the command of Lieutenant Shortland, agent for transports, in the month of May, 1788 : but two of their number being separated from their leader, in a gale off the coast to the northward of Port Jackson, stood to the southward, and, doubling the south cape of Van Dieman's Land, reached Rio de Janeiro by the western passage, in such a state of extreme debility and exhaustion, however, that if a fri-

gate then on the Brazilian coast had not sent her boats to assist them, they would not have been able to work up to the harbour. Lieutenant Shortland proceeded with the two remaining vessels to Batavia; but the scurvy attacking first the one ship's company, and then the other's, so many on board both vessels died, and so many of the remainder were rendered utterly unfit for service, that he was obliged to scuttle and sink one of the ships off the island of Borneo.

The sufferings that were thus experienced by all parties connected with the original establishment of the colony of New South Wales were taken advantage of by ignorant or designing persons, to induce numbers of the convicts, and especially the Irish convicts, who, in the colonial phrase, are generally *no scholars*, to attempt the most desperate expedients to escape from the colony. Under the idea of finding a Chinese settlement to the northward, parties were ever and anon made up to travel overland to China; and many individuals, who either perished of hunger or were speared by the natives, speedily fell victims to this strange infatuation. At one time no fewer than forty convicts were absent from the settlement on the way to China!

After the arrival of the second fleet in the year 1791, the affairs of the colony began to wear a more favourable aspect, and the prospect for the future was, on the whole, rather encouraging, when Captain Phillip, whose health had for some time been in a declining state, resigned the government of the colony, and embarked for England on the 11th of December, 1792; having administered its affairs with much credit to

himself, and with general satisfaction to the little community, for nearly five years. During the remainder of his life he lived at Bath, and had a pension of £400 a year allowed him, for his services in establishing the colony, by His Majesty's Government.

## CHAPTER III.

GENERAL STATE OF THE COLONY DURING THE  
ADMINISTRATIONS OF GOVERNORS HUNTER AND  
KING.

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“ And they sent *the coat of many colours*, and they brought it to their father, and said, This have we found: know now whether it be thy son's coat or no.”—GENES. xxxvii. 32.

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IN the years 1790 and 1791, a military corps, designated *The New South Wales Corps*, which was afterwards embodied as the 102nd regiment of the line, was raised in England for the service of the colony. That service, it may naturally be supposed, was not considered, at so early a period in the history of the Australian colonies, either as the most dignified or the most enviable in which a British officer could be engaged; and commissions were consequently procurable in the New South Wales Corps on much easier terms than in certain other military bodies, such as the *Guards* or the *Blues*. It was, therefore, quite possible that gentlemen might have found their way into that corps who possessed, only in a very limited degree, that honourable high-mindedness which should ever constitute the proud distinction of the British officer; combining, as he is supposed to do, the elegant accomplishments of the



scholar with the unexceptionable morals of the reputable citizen, and holding in equal abhorrence the practices of the pettifogging dealer and the profligacy of the rake. And if this was actually the case, it was not to be wondered at, that members of the corps I allude to should, in process of time, be found sullyng their hands with the slime of colonial pollution, and banded together, on every proper occasion, to maintain, by violence or injustice, what they had obtained by the sacrifice of honour. In short, (for I have no wish to be a dealer in enigmas) I am decidedly of opinion, that the formation of the New South Wales Corps was, both in a moral and political sense, the most ill-advised and unfortunate measure that the British Government could possibly have adopted towards their infant settlement on the coast of New Holland; and that, like the wrath of Achilles to the Greeks, *it entailed ten thousand sorrows* on the colony of New South Wales.

The greater part of the New South Wales Corps arrived in the second fleet; and, as Captain Phillip's successor did not arrive till the 7th of August, 1795, the government of the colony was administered, for nearly three years, by the commanding officers of that regiment; first by Major (subsequently General) Grose, and afterwards by Captain (subsequently Lieutenant-Colonel) Patterson, as lieutenant-governors of the territory. Of the public character of the former of these gentlemen, who was a near relative of the famous antiquary of the name, I am unable to speak definitively, excepting that the first use he made of his power was

to merge the civil in the military authority, or rather to set aside the former in great measure altogether; but Captain Patterson appears to have been a highly intelligent and amiable man, who did not choose, however, to hold the reins of government with a tight hand, but allowed things to take their natural course. The taste for governing on the small scale, and the means of rendering the resources of the Government indirectly subservient to their own private interests, which were thus acquired by the officers of the New South Wales Corps, were likely, even in less favourable circumstances, to have operated afterwards as a drag on the wheels of the colonial state-carriage, impeding its motions and rendering its progress irregular and uncertain. In conformity to what might thus have been expected, the history of the colony, for the next fifteen years, exhibits little else than a series of struggles for the mastery, between the Governor on the one hand and that powerful and influential body on the other; till at length, the warfare, which had long been carried on covertly and by means of private representations to the authorities at home, assumed a less doubtful character; insomuch that the corps proceeded at last with open violence to wrest the reins of government out of the hands of His Majesty's Representative, and actually forced him out of the colony!

The extraordinary fluctuations in the value of articles of domestic consumption, to which the colony was subject for many years after its original establishment, and the extraordinary profits that were not unfrequently realized on the investment of a small capital in mercan-

tile speculation, afforded the officers of the New South Wales Corps both a temptation and an excuse for endeavouring to eke out their military income, which in such circumstances was often inadequate enough, by engaging either directly or indirectly in such speculations. The position, moreover, which they held for a considerable time in the colony, afforded them singular advantages in this respect; for as the King's stores contained whatever was supposed necessary for the comfortable subsistence of the settlement, there were ways and means of procuring from that source occasional supplies of useful articles at prime cost, which could afterwards be retailed at an enormous profit. The article *then*, and indeed ever since, in most frequent requisition throughout the colony, was rum; and in process of time it came to be established as a general rule, that there should be certain periodical issues of that article (as, for instance, on the arrival of a merchant-ship) to the officers of the corps, in quantities proportioned to the rank of each officer.

The business of buying and selling, especially when attended with unreasonable profits, is so apt to foster the selfish feelings, and holds out so many temptations to the indulgence of a grovelling disposition, that I have often thought it would be good policy in a Government administering the affairs of one of those money-making communities called colonies, to countenance and encourage what are commonly called the liberal professions, if it were only because they have a powerful tendency to bring into play the higher and nobler feelings of our nature. Certain it is, that the

man, who devotes all his energies to the mere concerns of buying and selling, will at length come to estimate every thing, not according to what it is really worth, but only according to what it will *bring*. In this manner the very expansion of mind, which success in mercantile speculations generally induces, has a tendency to produce a corresponding degree of moral degradation; for the man who begins the world by buying and selling oranges, which is a lawful employment, and may therefore be honestly engaged in and honestly conducted, will perhaps end the matter by buying and selling seats in the British Parliament; i. e. by buying and selling the liberties of his country, which it is as infamous to buy as it is traitorous to sell.

Whether a process of this kind was in progress in the New South Wales Corps, it is not necessary to determine: certain it is, that instead of occupying the high standing which it was incumbent on gentlemen of an honourable profession to have uniformly maintained, especially in a convict colony, the officers of that corps, from being buyers and sellers in general, gradually conceived the idea of establishing themselves as the only buyers and sellers in the colony. When a merchant-ship arrived in the harbour, the officers of the corps got the first sight of her Manifest and the choice of her cargo; and they had ways and means of allowing the free or emancipated convict-merchant to follow only at a humble distance in their wake. In short, the Honourable the East India Company were not the only military trading company, at the period in question, beyond the Cape of Good Hope. In the sale of tea and



other India or China produce, of West India rum or Bengal arrack, and of soft goods or hardware of British manufacture, their example was diligently and successfully copied on the small scale by their military brethren in New South Wales.

The retail-trade was in the mean time variously managed. Most of the non-commissioned officers of the Corps had licenses to sell spirits; and in this manner the superfluous rum of the regiment was disposed of to the greatest advantage. It may be questioned, indeed, whether this was altogether in accordance with the declared intentions of the British Government, either in regard to the colony as a place for the reformation of convicts, or in regard to the duties of those to whom their moral guardianship was entrusted; but then a much more important question recurs; for in what other way could the gentlemen of the New South Wales Corps have disposed of their surplus rum?

I have already pointed out the salutary effects of Governor Phillip's recommendation relative to marriage. Had that recommendation been followed up by a suitable practice on the part of those into whose hands the government of the colony subsequently fell, the result, I am quite confident, would have been gratifying in the extreme. But the officers of the New South Wales Corps were neither all married, nor all virtuous men. Some of them, it is true, lived respectably with their families, and set a virtuous example to the colony, even in the worst of times; but the greater number took female convicts of prepossessing appearance under their protection, and employed them occasionally

in the retail-business. In so small a community as that of New South Wales, at the period in question, a *liaison* of this kind could scarcely be concealed. In fact, there was no attempt at concealment: decency was outraged on all hands; and the prison population laughed at their superiors for outdoing them in open profligacy, and naturally followed their example!

In a colony established for such purposes as that of New South Wales, it was doubtless a matter of the highest importance, nay, even of absolute necessity, that the officers, whether civil or military, in connexion with the government of the colony, should, in the first instance at least, have been married men—men of established moral character; and no person can doubt for a moment, that it was quite in the power of the Home Government to have found persons of this description in sufficient number to have enabled them to give appointments in the colony to such persons exclusively. It unfortunately happened, however, in the earlier times of the colony, that a large proportion of the civil and military officers of the settlement were unmarried men, of loose principles and dissolute habits; who, setting at defiance the laws of God and the opinions of virtuous men, lived in a state of open and avowed profligacy, thereby setting an example which was but too generally followed by the convicts, and the demoralizing and debasing influence of which is still widely perceptible throughout the territory. For it is a lamentable fact, in the history of New South Wales, that the progress of reformation, which, under a judicious system of management, and under the guidance of virtuous and

philanthropic men, would have been rapid and general among the convicts, was checked at the very outset, and has ever since been counteracted at every step, by the vicious practice and the demoralizing example of a large proportion of the free inhabitants of the colony.

It was not to be supposed that such a system as the one I have described, in regard to the New South Wales Corps, could be witnessed without much personal annoyance by the earlier Governors of the colony, or borne without much murmuring and complaint by the colonists. Acrimonious bickerings on the subject were in consequence incessant; but every endeavour to put down the obnoxious system was unavailing, and was only met by reiterated clandestine complaints to His Majesty's Ministers, on the part of the injured officers of the corps, which, unfortunately for the colony, were not unfrequently too successful. Besides, there were ladies, connected with the New South Wales Corps, who could wield tongues and hands in support of the favourite system, as well as their protectors could wield pens and swords; and the armed confederacy was consequently much too strong for the *sailor-officers*, who successively stood singly at the helm of the little colonial state-vessel for the first twenty years after she was launched, and who accordingly relieved each other with a rapidity, which, for so distant a colony, and so apparently undesirable a situation as the governorship of Botany Bay, was perfectly unaccountable.

The second Governor of New South Wales was John Hunter, Esquire, Post-Captain in the Royal Navy. Captain Hunter was a native of Scotland, and had been

appointed, in virtue of a special Order in Council, second captain of the *Sirius* frigate, in the year 1787, Captain Phillip having the temporary command of that vessel during the voyage to New South Wales, as well as the general command of the expedition for the establishment of the colony. In this capacity, Captain Hunter had made great exertions and undergone great privations; and the experience he had thus acquired was well calculated to qualify him for the more important charge with which he was afterwards entrusted. After the wreck of the *Sirius* and his long detention at Norfolk Island, Captain Hunter had returned to England in the Dutch transport ship *Waaksamheyd* (Anglicè *Activity*), which had been hired at Batavia to carry provisions to the colony, and was afterwards purchased on account of the Government to convey Captain Hunter, with his officers and crew, to England.

Captain Hunter assumed the government of the colony on the 7th of August, 1795. During his government, the first free settlers, who emigrated to New South Wales in pursuance of Governor Phillip's recommendations, arrived in the territory; and one of their number—a Scotchman from the neighbourhood of Edinburgh, whose sons are now substantial landholders in different parts of the territory—has told me, that the Governor went with him in person to superintend the measurement of his land, and to ascertain in what way he could promote his settlement, and render it as comfortable as possible. Indeed, Governor Hunter appears to have been a man of sound judgment, unexceptionable principles, and warm benevolence; and had he not



been counteracted by the influence and the practices I have already described, the colony would have prospered greatly under his administration, and profligacy would have hidden her head and been ashamed.

As a specimen of the sort of counteraction to which the earlier Governors of the colony were not unfrequently subjected, in making arrangements for the general benefit of the settlement, as well as of the spirit in which such interference was regarded by Governor Hunter, I relate the following anecdote, of the period I refer to. A mean and disreputable practice has all along prevailed in the colony of New South Wales, both in regard to Governors and to private individuals of respectable standing in colonial society, viz. that of sending home clandestine, and of course generally false information, relative to their private character or public procedure; either to His Majesty's Ministers, in the case of Governors, or to those influential persons or public bodies with whom it is of consequence to the other individuals I allude to to stand well. Captain Hunter was, on one occasion, the subject of the private communications of some colonial informer-general of this kind; but His Grace the Duke of Portland, who then presided over the department of the Colonies, would not suffer an honest man to be thus stabbed in secret, and accordingly sent back the identical letter he had received, without note or comment, to the Governor. Captain Hunter handed it one day after dinner to a Scotch medical officer, who happened to be dining with him at Government House. "You will surely take notice of this, Governor," said the officer. "No,"

replied Captain Hunter; "the writer of this letter has a family; and if I should take any notice of it, I should only ruin his family. I will rather let him alone."

Governor Hunter soon found that the machine of government was not likely to move as it ought, while its wheels were clogged in the manner I have described. He accordingly represented the actual state of the colony in this important respect to the authorities at home, and, to remedy the existing evils I have mentioned, strongly recommended that the New South Wales Corps should as speedily as possible be relieved by a detachment of marines—a species of force, which ought, indeed, never to have been changed, so long as the government of New South Wales was entrusted to an officer of the navy. These representations appear to have been attended to; for some time afterwards a large body of marines was actually under orders to embark for the colony to relieve the New South Wales Corps; but the exigencies of the war with France rendering their services necessary at the time in some other quarter, their destination was subsequently changed.

The importance of the measure he had thus recommended for the future government of the colony, and the state of uncertainty in which he was long placed by the artful manœuvring of parties, whose interests were diametrically opposed to such arrangements, at length induced Governor Hunter to embark for England; which he did accordingly, in the month of September, 1800, to represent the state of the colony in person to His Majesty's Government. On his arrival

in England, it was understood for some time, both by himself and his friends, that he would return to New South Wales, to resume the government of the colony; but whether any adverse influence had been employed by individuals connected with the colony to prevent his return, or whether a more favourable prospect had in the mean time opened to him in the mother country, I am not aware: at all events, he never returned to New South Wales.

Shortly before the arrival of Governor Hunter, Messrs. Muir, Palmer, Skirving, Margarott, and Gerald, who had all been tried and found guilty of *stimulating the people of Great Britain to effect a reform of Parliament* in the year 1793, arrived in the colony under sentence of transportation;\* Mr. Palmer—who had been a clergyman—for seven years, and the others for fourteen. Mr. Gerald, who was a native of the West Indies, died of consumption on the 16th of March, 1796; and Mr. Skirving of dysentery—probably induced by the use of salt provisions—three days after. Mr. Margarott, I believe, lived to return to Scotland on the expiration of his period of transportation; and Mr. Palmer, if I recollect aright, died subsequently on his way to England. Mr. Muir's history is well known. He was of highly respectable parentage in the west of Scotland,

\* The sentence passed on these unfortunate men was not merely harsh and vindictive, but absolutely illegal. By the law of Scotland, on which they were tried, they could only have been sentenced (under the statute of leasing-making, which was passed previous to the union,) to banishment from that kingdom; transportation, or banishment to a penal settlement, being then unknown to the Scottish law.

and had practised as an advocate at the Scottish bar. His case having excited a deep interest in America, the *Otter*, an American vessel bound for the north-west coast of that continent, was hired by certain gentlemen in Philadelphia or New York to touch at Port Jackson, for the express purpose of carrying him off from the colony. The plan proved successful; and, on effecting his escape, Mr. Muir left a letter to the Governor, stating that he did not intend to infringe the laws of his country by returning to Great Britain, but that he would endeavour to reach America, where he would practise as a barrister till the expiration of his sentence should allow of his returning to Scotland. The *Otter* was unfortunately wrecked on the west coast of America to the northward of California; but Mr. Muir was fortunate enough, after suffering much hardship and privation in travelling along the coast, to reach the city of Mexico, from whence he obtained a passage to Europe in a Spanish frigate. The frigate was fallen in with, however, by a British man-of-war off Cadiz; and in the action that ensued and that issued in the capture of the frigate, Mr. Muir was dangerously wounded, part of his brain being actually shot away. In this condition, and when lying apparently dead on the deck of the frigate, he was accidentally recognised by a Scotch officer, who had previously known him, from a small pocket Bible which had been given him by his mother, and which he held in his hand with the grasp of death. The officer humanely concealed the circumstance, but had him conveyed to an hospital on the Spanish coast, where every attention was paid him, and where he recovered



sufficiently to enable him to proceed to Paris, on the invitation of the French government, where he was treated with the most marked attention. He died, however, shortly after,—I believe in consequence of his wound. Mr. Muir had purchased a cottage near Sydney, where he passed his time chiefly in literary retirement. Every thing that enlightened delicacy could suggest had been done by Governor Hunter to render his situation, and that of his unfortunate friends, as little painful as possible; and they were only known and regretted in the colony as men who had themselves experienced all the bitterness of misfortune, but who were still willing to exert themselves to the utmost in relieving the miseries of others.

During the administration of Governor Hunter, agriculture made considerable progress, and the prospects of the colony consequently improved. The houses of respectable individuals were furnished with most of the comforts, and with not a few of the luxuries of life, through the intercourse that had then been recently opened with India; and the years of toil and famine were consequently forgotten. To each of the government or military officers who had agricultural establishments in the colony, Governor Hunter allotted ten convicts as farm-servants, and three as house-servants. To each of the free emigrant settlers he allotted five convicts; to superintendents, constables, and storekeepers, four each; to marine settlers, two; to emancipated convict settlers, one; and to sergeants of the New South Wales Corps, one each. The attempts to introduce cattle into the colony had generally been unsuc-

cessful, most of them having died on the passage; horses, sheep, goats, pigs, and poultry, however, had been introduced in greater numbers. The price of a cow, about a year after Governor Hunter arrived in the colony, was £80; a horse cost £90, and a sheep of the Cape breed £7. 10s.; a breeding-sow sold for £5, geese and turkeys for a guinea, and ducks for 10s. a couple. Mutton was 2s. a pound, goat's flesh 1s. 6d., and butter 3s. Wheat sold for 12s. a bushel, and barley for 10s. Green tea was 16s. a pound, raw sugar 1s. 6d., and soap 2s.

During the government of Captain Hunter, a commodious harbour for small vessels was discovered on the east coast, about seventy miles to the northward of Port Jackson. It was afterwards found that a navigable river, flowing from the westward, discharged its waters into this harbour; and, in following up that river towards its source, two other navigable streams were discovered flowing into it from the northward. The locality around the harbour was subsequently called Newcastle, from the abundance of excellent pit-coal in its immediate vicinity; the main river was named the Hunter, in honour of the Governor, and the two other rivers, the William and the Patterson, in honour of Lieutenant-Colonel William Patterson, the Lieutenant-Governor of the colony. The district watered by these rivers and their tributary streams, is at present, beyond all comparison, the most extensive and the most flourishing, both as a pastoral and as an agricultural district, in the territory. It is now visited twice a week by three large steam-boats, that convey produce and

passengers to and from the capital ; and the rising town of Maitland, situated at the head of the navigation, can already boast of no fewer than from twelve to seventeen public-houses, in which that species of *entertainment for travellers*, of which the New South Wales pilgrim is generally so passionately fond, can be furnished of any strength and in any quantity.

Shortly after his arrival in England, Captain Hunter was appointed to the command of the Venerable, seventy-four. When cruising with that vessel in Torbay, one of the seamen accidentally falling overboard, Captain Hunter humanely ordered her to be put about to pick him up. In executing this manœuvre, the vessel missed stays, ran ashore, and was wrecked. Captain Hunter was in consequence brought to a court-martial for the loss of the vessel, but was honourably acquitted. In the course of the trial, it is reported that when asked what had induced him to put the ship about in such circumstances, he replied (for he was a good man rather than a worldly wise one) that “he considered the life of a British seaman of more value than any ship in His Majesty’s navy.” He was afterwards promoted to the rank of rear-admiral, and spent the evening of his days in the neighbourhood of Leith in Scotland, where he lived universally esteemed, and died in a good old age.

At the period of Governor Hunter’s embarkation for England, the population of the colony amounted to between six and seven thousand souls : of these, about two thousand were settled in Sydney, and the remainder chiefly at Parramatta, Toongabbee, Prospect,

and Castlehill, agricultural settlements to the westward.

The third Governor of New South Wales was Philip Gidley King, Esquire, also a post-captain in the navy. Captain King was the son of a reputable citizen of Launceston in Cornwall. He had evidently received a good education; but having been sent very early to sea, he had acquired a roughness of manners, and an uncouthness of language, which were not likely to increase the number of his friends, but which were, nevertheless, by no means inconsistent with benevolence of disposition. Having served under Captain Phillip on board the *Ariadne* frigate, and the *Europe*, sixty-four, he was the more readily induced to accompany that officer on his appointment to the government of New South Wales; and his services in establishing the subordinate settlement of Norfolk Island had been duly noticed and rewarded by His Majesty's Government, in the year 1791. He had afterwards gone to England a second time during the administration of Captain Hunter; and, on returning to the colony, he had been commissioned to act as Governor, in the event of Governor Hunter leaving the settlement.

Captain King assumed the government of the colony in the month of September, 1800. From the zeal and talent he had exhibited in effecting the settlement of the dependency, or, as it was then called, the colony, of Norfolk Island, it was anticipated that his administration would be distinguished for vigour and general ability: but it by no means follows, that a man, who has acquitted himself to the satisfaction of his consti-



tuents in a subordinate capacity, will continue to give equal satisfaction in a higher situation, especially when invested with supreme authority. The possession of arbitrary power not unfrequently develops qualities of mind, which, in other circumstances, had escaped the notice of the keenest observer, and which the salutary consciousness of continued subjection to immediate control would have kept in abeyance. Besides, when a man has gained any considerable eminence on the hill of fortune, he is strongly tempted to suppose that the talent and assiduity which it cost him to reach his actual position, are not necessary to enable him to maintain it ; and he therefore intermits his labours, forgetful that it is much easier to fall in the world than it is to rise. In short, there are few comparatively of the human race—far fewer than one would at first imagine—who are *born to command*.

Governor King was undoubtedly desirous of promoting the welfare of all ranks in the colony ; but he was perhaps seldom judicious enough in selecting and in employing the proper means of attaining his end. Irritable and irascible when thwarted in his measures, as was frequently the case, he seldom evinced the requisite degree of perseverance when unsuccessful ; and he therefore very soon left things to take their natural course, which in the colony of New South Wales, as may well be supposed, was a miserably bad one. He had evidently formed but a low idea of the capabilities of the colony ; and as he found, perhaps at his first trial, that *he could not make farmers of pick-pockets*, to use his own expression, he thought it unne-

cessary to expend farther labour on the fruitless experiment. The comparative unproductiveness of the soil, in the various localities in which the first agricultural settlements were effected, was doubtless unfavourable to the general advancement of the colony in regard to agriculture; but whether it arose from ignorance or from indifference, the means of rendering the colony independent of supplies from beyond seas were for a long period sadly neglected; and the consequence was, that periods of scarcity, approaching even to famine, were not unfrequent, while a vast expenditure of British money was needlessly incurred in importing provisions from India, Batavia, and the Cape.

During Governor King's administration, the population of New South Wales consisted chiefly of those who sold rum, and of those who drank it; and as the general maxim of the colony at that period was, *Make money, honestly if you can, but by all means make money*; it may naturally be supposed that the sellers of this article of universal requisition would include persons of all ranks and professions. I have already shown to what extent the sale of this precious commodity was engrossed by the honourable profession of arms. Sergeant A, Corporal B, and even Private C, if a *useful* and deserving character, had each his licensed house to sell rum by retail, and to prevent, if possible, a consummation so devoutly to be deprecated, as the return of any of His Majesty's emancipated convicts to the paths of virtue; and as Captain D, Lieutenant E, and Ensign F, had each his permit to land thirty or forty gallons of ardent spirits, which were then selling

at £2 or £3 a gallon, from every vessel that entered the harbour, *the supply* (to use the language of political economy) *was equal to the demand*.

Whether Governor King attempted openly to abridge the corps of their ancient privileges, I am not aware ; but he certainly got embroiled with that body in the course of his administration, insomuch that I have had it from good authority, that he was oftener than once apprehensive of being put under arrest. In fact, the privileges of the corps were defended with a boldness and finesse that would have out-generalled a man of much superior ability to Governor King. Of this, I have been told an instance somewhat amusing :—His Excellency having found it necessary to prefer charges against a member of the corps to the Secretary of State, did so accordingly, at considerable length, entrusting his dispatches to an officer who was proceeding, I believe expressly for the purpose, to England : but he was imprudent enough to allow the circumstance to get abroad rather too soon, and the genius of Botany Bay was therefore immediately set to work, to counteract his measures. His Excellency's box was accordingly *picked* of its despatches before it left the colony, and, when opened in the Duke of Portland's office in Downing Street, it exhibited only a number of harmless old newspapers.

It was natural for a man, placed in such circumstances as Governor King, to endeavour to counterbalance the weight of military influence with which he had thus to contend, by throwing something ponderous into the opposite scale. He did so accordingly, by

attempting to bring forward the emancipated convicts as a counterpoise to the corps ; and by what means could His Excellency have secured the attachment of that class of persons more effectually, than by granting them licenses to sell rum ? Such licenses were accordingly dispensed with a liberality and profusion above all praise ; for even the chief constable of Sydney, whose business it was to repress irregularity, had a license to promote it, under the Governor's hand, by the sale of rum and other ardent liquors ; and although the chief jailer was not exactly permitted to convert His Majesty's jail into a grog-shop, he had a licensed house, in which he sold rum publicly on his own behalf, right opposite the jail-door.

A general dissolution of morals, and a general relaxation of penal discipline, were the result of a state of things so outrageously preposterous. Neither marrying nor giving in marriage was thought of in the colony ; and as the arm of the civil power was withered under the blasting influence of the miserable system that prevailed, the police of the colony was wretchedly administered, and virtuous industry was neither encouraged nor protected. Bands of bush-rangers or runaway-convicts traversed the country in all directions, and, entering the houses of the defenceless settlers in open day, committed fearful atrocities.

I have already made honourable mention of the activity and zeal displayed by Captain King in the formation of the settlement of Norfolk Island. On his arrival in the colony for the third time, as Lieutenant-Governor of that island, he had also a commission to



succeed Captain Hunter as Governor of New South Wales, in the event of the retirement of that officer from the government of the colony; and I have been given to understand, on good authority, that it was by keeping Captain Hunter in profound ignorance of the intentions of His Majesty's Ministers, in regard to the future government of the colony, of which he had been personally apprised before leaving England, that the Governor was induced to embark for Europe. Whether Captain King was desirous that Norfolk Island should in no future instance serve as a stepping-stone to the government of New South Wales, as it had done so conveniently in his own particular case, it is difficult at this distance of time to determine: it is at least certain, that, in conjunction with Lieutenant-Colonel Foveaux, he recommended the entire abandonment of that settlement; which was accordingly carried into effect, partly during his own administration, and partly during that of his successor. A more injudicious and impolitic measure, I have no hesitation in saying, could scarcely be conceived; for, whatever objections might have been originally urged against the formation of a subordinate settlement at Norfolk Island, before the principal settlement of Port Jackson was fairly established; common sense would surely have dictated, that, after a settlement had actually been effected on that island, at a vast expense to the Government, and especially after that settlement had been maintained in comparative prosperity for fifteen or eighteen years, it should not be abandoned on slight grounds. The climate of Norfolk Island is salubrious in the highest degree, and the soil,

which is capable of producing all sorts of semi-tropical fruits, of extraordinary fertility. At the period of its abandonment many hundred acres of land had been cleared and brought into cultivation; and many buildings, belonging both to government and to private individuals, had been erected. The quantity of stock on the island, consisting chiefly of cattle, pigs, poultry, and goats, was also very considerable; and it contained a population of not fewer than a thousand souls, of whom a considerable number had been born on the island. The prodigious sacrifice and expenditure implied in the entire abandonment of a remote settlement in such a state of advancement may be more easily conceived than described.

“The ground,” observes Mr. Windham, who was then Secretary of State for the Colonies, in a despatch to Governor Bligh, of date, “Downing Street, 30th December, 1806,” containing directions for the immediate evacuation of Norfolk Island,—“The ground on which this measure was determined on, appears to have been the very great expense at which the settlement was maintained, and the very great difficulty with which a communication between it and Port Jackson was preserved; a difficulty, arising from the danger of approaching an island without a port secure from tempests, or even a road in which ships could safely anchor. On these and other grounds, it seems that an order was conveyed by Lord Buckinghamshire, when Secretary of State, dated June, 1803, for removing a part of the settlement of Norfolk Island to Port Dal-

rymple, or to some other situation on Van Dieman's Land."

In obedience to these instructions of Lord Buckinghamshire, a considerable number of the convicts had been removed from Norfolk Island to Port Dalrymple in the year 1804 or 1805; but, as an evidence of the dispositions of the free inhabitants in regard to that measure, it is sufficient to observe, that only four of them had embraced the offers of government, and withdrawn from the island. His Majesty's ship *Buffalo* had afterwards been despatched by Governor King to carry off as many of the free inhabitants as could be induced to leave the island in the latter part of the year 1805; but its entire evacuation was at length effected during the government of Captain Bligh, in the year 1807, agreeably to the express orders of Mr. Secretary Windham.

In regard to these orders, which were issued in consequence of representations from New South Wales, there was no necessity whatever for maintaining a separate penal establishment on Norfolk Island. Had the convicts been entirely withdrawn, the free inhabitants would have formed a numerous and prosperous community long ago; and would either have constructed a harbour, which, it is reported by intelligent persons, is by no means impracticable, or continued to maintain a communication with Port Jackson, as had been done before, and is now done by the colonial government without one. At all events, if the harsh, injudicious, and expensive measure of its entire evacuation had not been enforced, the settlement of

Norfolk Island would long since have attained a prosperous condition, without entailing any additional expense on the British government; and there would have been no temptation to form a penal settlement on the island, as was done during the government of Sir Thomas Brisbane, after the lapse of twenty years, at prodigious expense to the mother country, and without serving any useful purpose for the colony of New South Wales.

A considerable number of the free settlers at Norfolk Island had originally been marines and seafaring men; and when Colonel Collins, of the Royal Marines, under whom most of them had served in the colony, was appointed Lieutenant-Governor of Van Dieman's Land, they were the more easily induced to embark for that settlement. Colonel Collins had arrived from England in the year 1804, to form a subordinate settlement either at Port Phillip, on the southern coast of New Holland, or in Van Dieman's Land. He accordingly established himself in the first instance at Port Phillip; but finding the land in the immediate vicinity of an unpromising character, he afterwards abandoned that settlement altogether, and proceeded to form another in Van Dieman's Land. Port Phillip is an extensive inlet, running up for thirty-five miles into the main-land of New Holland. Colonel Collins had formed his settlement on the eastern shore of that inlet, where the land is undoubtedly of an inferior description; but it has recently been ascertained that the whole of its western shore consists of land of first-rate quality, whether for grazing or for agriculture; and it is singular enough,



that an extensive emigration has recently taken place to this part of the territory of New South Wales, from the very settlements which were formed by Colonel Collins on its abandonment. During the last two years more than two hundred persons have crossed over to Port Phillip from Van Dieman's Land, in the character of squatters, carrying along with them upwards of thirty thousand sheep, besides horses and cattle, to form a permanent settlement in that highly eligible locality.

During the government of Captain King, several hundred convicts attached to the Government agricultural establishment at Castlehill, about twenty miles to the westward of Sydney, were induced, at the instigation of some of their number who had been concerned in the Irish rebellion, *to strike for their liberty*. They accordingly left the settlement, armed with pikes and such other weapons as they could find. They were encountered by the military under Major Johnston at Vinegar Hill, a few miles beyond Parramatta, on the road to the Hawkesbury. A few of them were shot: several others were taken and hanged immediately, and the rest returned quietly to their labour; nor has there ever been any insurrection in the colony since that period on the part of the convicts.

It was also during the administration of Governor King, that about a dozen families of free emigrant settlers, chiefly from the Scottish border, arrived in the colony; having been induced to emigrate to New South Wales, on receiving a free passage from Government, with the promise of a grant of one hundred

acres of land each on their arrival in the colony, and rations for a certain period afterwards from His Majesty's stores. They arrived in the year 1802. Governor King mustered them on the quarter-deck of their vessel, shortly after their arrival, to ascertain their respective views, resources, and abilities. Observing an old gray-haired man in their number, who acknowledged he had been thirty years in business in London, the Governor exclaimed in astonishment, "One foot in the grave, and the other out of it, what brought you here, old man?" It is somewhat remarkable that Captain King himself should have been the first of the two to have both feet in the grave. The moralizing Governor has been dead, I believe, these many years; but the old gray-haired man was still alive in the colony, and was still able, within the last few years, to perform frequent journeys on horseback from his farm to Sydney, a distance of fifty miles.

The free emigrants I have just mentioned were Presbyterians, and settled on small patches of alluvial land near Portland Head, on the banks of the Hawkesbury. Their settlement has been, beyond all comparison, the most orderly and successful of the kind in the colony; some of them being now wealthy, and the greater number comfortable and independent. The reader may form some idea of the fertility of the district, from the fact that, since its first settlement in the year 1802, several fields have borne a crop of wheat every year without intermission, and in many years even a second crop of maize or Indian corn. The land in question is indeed occasionally flooded during the

inundations of the Hawkesbury ; but for eleven years previous to the year 1830 no flood had been experienced.

The settlement of Portland Head also deserves peculiar credit, for having been the first, I might almost say the only one, in the interior of the colony, to make a voluntary and self-originated effort to provide for itself the regular dispensation of the ordinances of religion. So early as the year 1809, the settlers in that district had erected a church—the first that was ever erected in the Australian territory by voluntary subscription—at a cost of upwards of £400, in the hope of obtaining a minister of their own communion from the mother country ; and from the very commencement of their settlement they assembled regularly every Sabbath for the public worship of God ; one of their number, Mr. James Mein, a venerable old man who died in the colony a few years ago, reading a sermon and presiding in the exercises of praise and extempore prayer, agreeably to the practice of the Presbyterian Church. In a Report of a Committee of the House of Commons on the state of the colony, which was printed by order of the House in the year 1812, the circumstance is mentioned to the honour of that individual and of the settlement to which he belonged ; Governor Bligh having stated in his evidence before the Committee, that “ it was the only case of the kind he had ever heard of during his government of the colony.” I had the singular gratification to dispense the sacrament of the Holy Communion to this little community in the year 1824, according to the hallowed customs of the Scottish

Church. It was the first time it had ever been dispensed on the Australian Continent *in such sort as it is written* in the standards of the Presbyterian communion. There were twenty communicants; and the very peculiar circumstances in which the ordinance was solemnized in the little church—situated on a rising ground on the edge of the forest, and overlooking a beautiful and romantic reach of the noble river—rendered the whole scene the most interesting and the most affecting I have ever witnessed. There is now a Presbyterian minister, of the Church of Scotland, settled in the district.

From his early initiation into the mysteries of a seafaring life, Governor King was rather fond of those practical jokes which constitute the peculiar delight of the younger inmates of the gun-room, and he sometimes indulged his disposition in a way scarcely compatible with the dignity of his office as the representative of majesty. He was standing on one occasion under the verandah of Government House, when a person, who had once been a marine, approached him as a petitioner for a grant of land. "You have been a marine?" said the Governor, recognising the man. "Yes, please your Excellency," replied the petitioner. "Can you go through the manual exercise yet?" rejoined His Excellency: the petitioner bowed in the affirmative. "Stand at ease, then," said the Governor: the marine did so. "Shoulder arms:" the marine obeyed. "Right about face:" the marine stood with his face looking down the avenue towards the town. "March," said His Excellency: the marine accordingly marched down the avenue; and the Governor,



delighted at the success of the joke, walked into Government House without either countermanding the order he had just given, or waiting for the marine's return. I believe, however, he gave the man his grant of land shortly after ; and it was not likely to be any smaller on account of the little piece of innocent pleasantry which he had thus played off at his expense.

Governor King was succeeded in the government of New South Wales by Captain Bligh, of the royal navy, on the 13th of August, 1806. His administration, it must be acknowledged, was, on the whole, unfortunate for the colony ; but the circumstances in which he was placed were exceedingly peculiar, and the difficulties of his situation exceedingly great. The period of his administration, I have been given to understand, was shortened through the underhand representations of those who had been a thorn in his side all along : and in order, I presume, to neutralize the evidence he might otherwise have given at Downing Street, in regard to the circumstances of the colony, a certificate of character was sent home along with him, of such a kind as to induce His Majesty's Ministers to treat him with neglect—a circumstance which, I am credibly informed, embittered the remainder of his days.

## CHAPTER IV.

STATE OF THE COLONY DURING THE ADMINISTRATION OF GOVERNOR BLIGH, WITH AN ACCOUNT OF THE ORIGIN AND RESULT OF THE COLONIAL REBELLION OF 1808.

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Here—a sheer hulk—lies poor Tom Bowling,  
The darling of our crew.

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THE fourth Governor of New South Wales was William Bligh, Esq., a post-captain in the royal navy. This officer, it is well known, had been sent out by the Lords of the Admiralty in command of His Majesty's ship *Bounty*, for the purpose of collecting plants of the bread-fruit tree in the South Sea Islands, in order to their being conveyed to the West Indies; as it was supposed that that singular tree would, if cultivated in the West India islands, afford a valuable and economical article of food for the slave-population: but the crew of the *Bounty* having mutinied in the course of their voyage, turned Captain Bligh and his officers adrift in the long-boat, and carried the vessel to one of the numerous groups of islands with which the vast Pacific Ocean is studded, doubtless to lead a life of unre-

strained and licentious indulgence among their half-civilized inhabitants. The misfortune which Captain Bligh had thus experienced in the service, and the superior seamanship and general ability he had displayed, in conducting his boat's crew along the northern coast of New Holland to the little island of Timor, in the Indian Archipelago, together with his other services as a Captain in the navy, having strongly recommended him to His Majesty's Government, he was appointed to succeed Captain King in the government of New South Wales.\*

The character of Governor Bligh has at different periods, and according as different parties have successively obtained the management of the colonial press, been pursued with the most unqualified vituperation, and loaded with the most unqualified praise. As is usual in such cases, the truth lies between. That he had faults, I will not attempt to deny; but that he had also redeeming qualities, which in great measure neutralized these faults, and proved him to be a much better man than the greater number of his enemies, will, I conceive, appear equally evident from the following sketch.

\* A second object of the expedition of the *Bounty* had been to explore Torres Straits, or the passage between New Holland and New Guinea. On the unfortunate termination of *that* expedition, Captain Bligh was authorized to fit out two vessels in whatever way he might think proper, to proceed a second time to the South Seas for the accomplishment of the same important objects. On that second expedition he was entirely successful; while His Majesty's ship *Pandora*, which had been despatched in the mean time in search of the mutineers of the *Bounty*, was lost in Torres Straits.

I have not been able to ascertain the tenor of Governor Bligh's instructions relative to the New South Wales Corps; but the first object which he undertook with might and main on his arrival in the colony, was the abolition of the military monopoly, and especially in the article of ardent spirits. This monopoly (for such it was in reality) was every where spoken against by those who wished well to the colony. Its evil effects were every where apparent. With a view to its discontinuance, Governor Hunter had recommended to His Majesty's Government to recall the corps forthwith to England; and fortunate indeed would it have been for the colony, had that recommendation been attended to. But as there is reason to believe that Captain Hunter was himself removed from the government of New South Wales by that very influence against which he had borne testimony, it was not likely that the gangrene which he had failed to eradicate from its body politic so soon after its first appearance, would readily yield to the lancet of a succeeding governor, after it had pushed its roots into the vitals of the system, and become a wide-spreading and putrefying sore.

From the unrestrained importation of ardent spirits, which had uniformly prevailed in the colony from its first settlement, a practice of a most pernicious and demoralizing tendency, especially in a convict colony, had grown into general use; I mean the substitution or employment of ardent spirits as a sort of colonial currency or universal medium of exchange. The subjoined reply, in the evidence of John Macarthur, Esq., to the following question, which he was asked on the trial



of Colonel Johnstone in the year 1811, exhibits the extent to which this ruinous practice had been carried in New South Wales :—

“ Has not the barter of spirits been always practised by every person in the colony, as a matter of necessity, from the want of currency ? ”

“ I know of no exception ; as far as my observation went, it was universal : officers civil and military, clergy, every description of inhabitants, were under the necessity of paying for the necessaries of life, for every article of consumption, in that sort of commodity which the people who had to sell were inclined to take : in many cases you could not get labour performed without it.”

To the same purpose Captain Kemp, of the New South Wales Corps, when asked a similar question on the same occasion, makes a similar reply :—

“ Was the barter of spirits prohibited by Governor Macquarie ; or were the officers of the seventy-third regiment allowed to barter spirits ? ”

“ The Governor, clergy, officers civil and military, all ranks and descriptions of people, bartered spirits when I left Sydney,—viz. in May, 1810.”

The breaking up of this monstrous system had been particularly enjoined on Governor Bligh, as appears from the following extract from his instructions, under the sign manual, dated at St. James's, May 25th, 1805 :—

“ And whereas it hath been represented to us, that great evils have arisen from the unrestrained importation of spirits into our said settlement, from vessels touching there, whereby both the settlers and convicts have been

induced to barter and exchange their live stock and other necessary articles for the said spirits, to their particular loss and detriment, as well as to that of our said settlement at large ; we do therefore strictly enjoin you, on pain of our utmost displeasure, to order and direct, that no spirits shall be landed from any vessel coming to our said settlement, without your consent, or that of our Governor-in-chief for the time being, previously obtained for that purpose ; which orders and directions you are to signify to all captains or masters of ships immediately on their arrival at our said settlement ; and you are at the same time to take the most effectual measures, that the said orders and directions shall be strictly obeyed and complied with."

The vigorous measures adopted by Governor Bligh, in accordance with these instructions, obtained the express approbation of His Majesty's Government, as is evident from the following extract of a letter to His Excellency from the Right Honourable Lord Castlereagh, of date December 31, 1807:—

" I am to express His Majesty's approbation of the determination you have adopted to put an end to the barter of spirits, which appears to have been abused, to the great injury and morals of the colony ; and I am to recommend, that whatever regulations you may find it most eligible to establish for the sale of spirits, yet that you will never admit a free importation, but preserve the trade under your entire control ; and that you will not fail rigorously to levy the penalties you shall establish for preventing illegal import."

It was scarcely to be expected, however, that mea-

asures of this kind could be carried into effect without giving prodigious offence; especially to those persons whose rank or office had enabled them to derive peculiar advantages from the unrestrained importation of spirits, which prevailed under a different system of management; and to turn the barter of that commodity, of universal requisition, into a source of great personal profit. The manifestations of this feeling were but too evident in the sequel.

During the administration of the two preceding Governors, a considerable number of free emigrant and emancipated convict settlers had been located, chiefly with a view to the cultivation of the soil, on the rich alluvial banks of the Nepean and Hawkesbury rivers. The latter of these rivers is merely a continuation of the former, after its junction with a considerable stream called the Grose, which issues from a remarkable cleft in the Blue Mountains, in the vicinity of Richmond, a village beautifully situated at the foot of the mountains, about forty miles from Sydney. The alluvial lands of New South Wales, or what the people of New England would call *Interval lands*, (I presume because they constitute the interval between the rivers and the open forest-country,) are in general heavily timbered, and, of course, difficult to clear. In such situations the progress of cultivation is necessarily slow, as the felling-axe and the operation of *burning off* must precede the plough or the hoe; but as the cost of this comparatively tedious process is uniformly much more than repaid in the wonderful fertility of the soil, land of this description is usually preferred for the purposes of agriculture to the more open forest-land. A considerable extent of land

of this kind had been brought into cultivation along the banks of the Hawkesbury, which was thus the principal agricultural settlement of the territory, towards the close of Governor King's administration; but this important section of the colony was most unfortunately visited, about the time of Governor Bligh's arrival, with a succession of inundations, which swept off the produce of the soil of every description, and left the settlers, in many instances, to poverty and starvation.

The inundations of the Hawkesbury, unlike those of the Nile and many rivers of America, are not periodical. A period of eleven years has elapsed in one instance without a single inundation; but two inundations have in another instance occurred in the course of the same year—one in the month of March, and the other in August, although not a drop of rain had fallen for some time previous in the district in which the inundation was most severely felt. These inundations are produced by the fall of rain on the Blue Mountains—a lofty range which runs parallel to the coast, and along the base of which the Hawkesbury flows in a northerly direction, receiving its drainage by numerous mountain-torrents: and so vast is the accumulation of water on these occasions, and so narrow the gorges through which it has to force its way in its circuitous course to the ocean; that the river has been known to rise, in the neighbourhood of the town of Windsor, upwards of seventy feet above its ordinary level.

At the period we have arrived at in the history of the colony, the settlers of the Hawkesbury were not prepared, as they generally are now, for so fearful a visit-



ation; and the loss of grain and of other agricultural produce of every description was proportionably great. A settler, whose house stands on an eminence at a beautiful bend of the river, has told me he has seen thirty stacks of wheat at one time floating down the stream during a flood; some of them covered with pigs and poultry, which had thus vainly sought refuge from the rising of the waters.

The occurrence of an inundation of this kind, at a time when very little grain was cultivated in any other part of the colony, was peculiarly calamitous, and its consequences were therefore the more generally felt: maize meal and flour of the coarsest quality were sold in Sydney at two shillings and sixpence a pound, and whole families on the Hawkesbury had no bread in their houses for months together. In these circumstances, Governor Bligh did every thing that a governor could do to alleviate the distress of the colony. He caused a number of the Government cattle, which had now increased to a large herd, to be slaughtered and divided among the settlers; and in order to encourage them to cultivate as large an extent of ground as possible for the future, he engaged to purchase for the King's stores all the wheat they could dispose of after the next harvest at fifteen shillings a bushel. The consequences of this judicious and beneficent measure were speedily apparent. The dispirited settlers were stimulated to increased exertions; a large extent of cleared ground, which had been enriched in the mean time by successive floods, was laid under cultivation; and Divine Providence blessing the colony with an abundant har-

vest, plenty and contentment were at length happily restored.

For his zealous and patriotic exertions on this occasion, Governor Bligh subsequently obtained the following testimony of approval from His Majesty's Government. It is contained in a letter to His Excellency, from the Under Secretary of State, of date 31st December, 1807 :—

“ I am to express Lord Castlereagh's approbation of the measures taken by you to relieve the colony from the late calamities, occasioned by the imprudence of the colonists in not taking precautions against possible inundation.”

The Governor had observed, moreover, that independently of their liability to floods, the agricultural interest, which it behoved the colonial executive at so important a crisis especially to encourage, was extremely depressed, in consequence of the miserable system of traffic to which I have already alluded, and which was then prevalent in the colony ; for rum, and not British money, was at that time the general medium of exchange in the purchase of every thing saleable throughout the territory. Now, to such persons as emancipated convict settlers, who were just beginning to acquire the habits of virtuous industry in the salutary pursuits of agriculture, no state of things could possibly be more injurious, as it daily exposed them to the almost irresistible temptation to barter away their hard-earned produce for what could only contribute to the misery and ruin of their families. Besides, it had not escaped the Governor's observation, that the industrious

free emigrant settlers of the humbler class were also universally kept down through the operation of the same system, though in a somewhat different way ; for, in disposing of their agricultural produce to the merchants or rather dealers in Sydney, they could only obtain payment in *property*, as it was called, i. e. in rum, tea, sugar, or such other goods as the dealer had to dispose of, at an enormous per-centage above their real value.

Governor Bligh, therefore, immediately set himself to introduce a better order of things, in so far as these interesting classes of the colonial population were concerned. With this view he made a tour of inspection in the agricultural districts of the colony, inquiring successively into the circumstances and resources of each of the settlers, and taking a list of the articles of household consumption which each informed him he stood in need of, as well as of the quantity of beef, pork, wheat, or maize, which he thought he was likely to be able to *turn into* His Majesty's stores in the course of the ensuing season : and according to the idea he was thus enabled to form of each settler's wants and abilities, he gave him an order forthwith on the commissariat for the articles which he judged it requisite for him to receive, the price of which he was to pay in produce at a certain fixed rate at the ensuing harvest.

This arrangement was unquestionably the most judicious, the most philanthropic, and the most directly conducive to the rapid advancement of a colony, composed of such heterogeneous materials as the colony of

New South Wales, which it was possible for any governor to have adopted at the period in question : for as His Majesty's stores at that time contained almost every article that was required in a family, and as the Governor set a very moderate price on those articles that were thus to be exchanged for produce with the settlers, it was the direct interest of the latter to make immediate payment whenever they were able to do so ; as, in the event of their failure, they were not likely to obtain a second supply from the King's stores, and as every thing they required to purchase was sure to cost them at least four times the price any where else.

No wonder then that the memory of Governor Bligh should be warmly cherished, as it certainly is in a very high degree, by the middle and lower classes of the settlers of older standing throughout the colony. " Them were the days for the poor settler," said a loquacious personage, of one of these classes, at whose comfortable house I was glad to pass the night on one occasion, after a long and dreary ride of upwards of fifty miles over a mountainous and desert tract of country ; and who, though originally transported many years ago as a notorious smuggler, is now a reputable proprietor of land, and the father of a well-reared and industrious family :—" Them were the days, sir, for the poor settler : he had only to tell the Governor what he wanted, and he was sure to get it from the stores ; whatever it was, sir, from a needle to an anchor, from a penn'orth o' packthread to a ship's cable."

This beneficent and patriotic arrangement of the Governor's, however, was directly opposed to the pri-



vate interests of that comparatively numerous and powerful class of individuals who had grown corpulent on the drunkenness of the colony, and who lived and moved and had their being as *men of credit and renown* in the colony, on the increase and perpetuation of that detestable vice. Certain parties of good repute could no longer sell the usual quantity of Bengal rum, Brazils tobacco, Siam sugar, young Hyson tea, or British manufactured goods at the *usual remunerating prices*—a change of system, which of course could not be tolerated. In short, the craft was in danger, and the rapid falling of the mercury in the barometers of the different harams of the colony portended a storm.

When a quantity of combustible materials has been industriously heaped together to produce an explosion, it is of little consequence in whose kitchen the match is lighted to fire the train. The gentleman who was *the immediate occasion*—I should be sorry to style him *the cause*—of the explosion that ensued in the instance in question, was John Macarthur, Esquire, formerly Captain and Paymaster of the New South Wales Corps, but, for some time previous to Governor Bligh's arrival, a merchant in the colony. This gentleman, who was for several years before his death, which took place in the year 1834, a member of the Legislative Council of New South Wales, deserves the highest credit, not only for having been the first to direct the attention of the colony to the rearing of sheep and the growth of fine wool, but also for the virtuous example which his own well-regulated family has uniformly exhibited to the European inhabitants of the territory. As a mer-

chant, however, Mr. Macarthur's interest was unquestionably opposed to the successful accomplishment of the Governor's measures; and His Excellency, it would seem, being a plain, straight-forward, sea-faring man, was apprehensive of counteraction in carrying these measures into effect from his superior ability. But although this state of feeling unquestionably existed for some time, the unhappy events that ensued were the result of certain overt acts and proceedings, which it is necessary to detail at considerable length, as they relate to a very important period of colonial history, which has not unfrequently been made the subject of the grossest misrepresentation.

Previous to what was called *the March flood*, in the year 1806, the usual price of wheat in the colony was seven shillings and sixpence a bushel, and in mercantile transactions promissory notes were frequently given and received for the payment of a certain number of bushels of wheat of the next ensuing harvest; the parties in such transactions mutually conceiving that the price of that commodity would in the mean time continue nearly stationary. In consequence, however, of the calamitous visitation I have just mentioned, the price of wheat in the year 1807 was as high as £1. 8s. or £1. 10s. per bushel. In these circumstances, Mr. Macarthur, happening to hold a promissory note of the kind referred to, of date previous to the inundation, insisted on its literal fulfilment some time posterior to that calamity: but the person who had given the note, holding that he was bound only to make payment at the rate at which wheat was selling when the note was

given, and resisting the demand on that ground, the case was referred for decision to the Court of Appeals, in which the Governor decided against Mr. Macarthur, on the broad principle of equity which it seemed to him to involve. Previous to the decision, however, Mr. Macarthur had submitted a paper to the Governor, in which he contended, that as the drawer of the note—an emancipated Scotch convict of the name of Andrew Thomson—was not one of the persons who had suffered from the flood, and would have had the advantage of the terms of payment in the event of a fall in the market occurring previous to the note's becoming due, he was bound to make payment according to its literal meaning: but the Governor refusing to hear any thing on the subject, Mr. Macarthur took offence, and never afterwards made his appearance at Government House, although the Governor subsequently called on Mr. Macarthur, on being told that he was indisposed.

In the month of March, 1807, the ship *Dart*, of which Mr. Macarthur was in part owner, arrived in Sydney from London. Agreeably to the usual practice on such occasions, her Manifest was exhibited by Mr. Harris, the naval officer, to the Governor, who, observing in the list of articles two large stills—the one addressed for Mr. Macarthur, and the other for Captain Abbott, of the New South Wales Corps,\*—made a minute on the

\* I have been informed that Captain Abbott had ordered a still to be sent to him by his agent in London; conceiving, doubtless, from the high price of spirits and the insatiable demand for the article in the colony, that it would prove a good speculation. Captain Abbott's agent was also agent for Mr. Macarthur; and rightly conceiving that if the speculation was a good one for the former of these gentlemen, it would

Manifest, directing the naval officer to place both of the stills in His Majesty's store, in order to their being sent back by the first ship to England, the distillation of spirits being prohibited in the colony: \* as the coppers, or boilers of the stills, however, had been packed full of medicine, the naval officer had allowed them to be conveyed to Mr. Macarthur's premises, notwithstanding the Governor's order to the contrary, while the heads and worms were deposited in the King's store. In the month of October following, when the ship *Duke of Portland* was about to sail for London, it was discovered that the coppers were still in Mr. Macarthur's possession; and the circumstance being notified to the Governor, he ordered the naval officer, Robert Campbell, Esq., now a member of the Legislative Council of the Colony, to have them shipped forthwith. Mr. Campbell having accordingly written to that effect to Mr. Blaxcell, Mr. Macarthur's partner, Mr. Macarthur replied, in a letter to the naval officer, stating that "he had nothing to do with Captain Abbott's still, and that he intended to dispose of his own to some ship going to India or China; but that if that should be objected to, the head and worm could be disposed of as His Excellency thought proper, and that he would apply the copper to some domestic use."

be equally so for the latter, he had sent Mr. Macarthur a still also, without any orders from that gentleman, and entirely of his own accord. I have reason to believe that this statement is well founded.

\* A general Order, forbidding the distillation of spirits in the colony, had been published by Governor Bligh on the 14th of February, 1807.—See Appendix, No. 1.



Mr. Campbell showed this letter to the Governor, who merely directed him to enforce the original order for the re-shipment of the stills complete to England. The naval officer accordingly sent his nephew, Mr. R. Campbell, jun., to Mr. Macarthur, agreeably to the Governor's order, for the two coppers; and on Mr. Macarthur's refusing to give them up without a receipt, Mr. Campbell, junior, procured a receipt from the naval officer for "two stills with heads and worms complete." Mr. Macarthur however refused to take the receipt in that form, as he never had either "heads" or "worms" in his possession; and Mr. Campbell, jun. consequently returned to procure another receipt from his uncle: but the naval officer refusing to give any other receipt than the one he had already given, which, it seems, corresponded with the description in his books, Mr. Campbell, junior, returned to Mr. Macarthur agreeably to his original order. Mr. Macarthur showed him where the stills were, and told him he might take them away at his own risk; which he did accordingly. Mr. Macarthur, however, immediately prosecuted Mr. Campbell, junior, before a bench of magistrates for this alleged illegal seizure of his property; and, after the evidence had been fully heard, made a statement in open court, in the presence of a concourse of people, whom the singularity of the case had attracted, to the following effect:—"It would therefore appear that a British subject, in a British settlement, in which the British laws are established by the royal patent, has had his property wrested from him by a non-accredited individual, without any authority being produced, or any other reason being

assigned, than that it was the Governor's order. It is therefore for you, gentlemen, to determine whether this be the tenure on which Englishmen hold their property in New South Wales."

In the month of November, 1807, a few weeks after the occurrence just mentioned, the schooner *Parramatta*, of which Mr. Macarthur was also in part owner, arrived from Otaheite, whither she had sailed from Sydney in the month of June previous, under the command of a Scotchman of the name of Glen, who was afterwards murdered with all his crew on the coast of New Zealand. A convict, it seems, of the name of Hoare, had escaped from the colony by the *Parramatta*, and had been left by the captain at Otaheite; and as the missionaries at that island complained of the circumstance in a letter to Governor Bligh, judicial proceedings were immediately commenced against the vessel on her return to port, to recover the penalty which had thus been incurred by the captain and owners under the colonial regulations. The result of these proceedings was, that a bond for £900, which had been given by the owners to the Colonial Government on the vessel's first arrival in the colony, and deposited in the hands of the naval officer, was declared to have been forfeited, and the penalty duly incurred. From this decision Mr. Macarthur appealed to the Governor, who, however, did not choose to interfere with the decision of the court. In the mean time, the owners refusing to pay the penalty, the naval officer refused to enter the vessel, and seized all her papers; constables being in the mean

time put on board, to prevent the landing of any part of her cargo.

In consequence of this procedure on the part of the naval officer, Mr. Macarthur notified to Glen and the crew, that he had abandoned the vessel, and that they had consequently nothing farther to expect from him. Glen accordingly went on shore with his crew, informing the naval officer of his being virtually ordered to do so by Mr. Macarthur, and making affidavit to that effect in justification of his procedure in the Judge Advocate's Office, as it was contrary to the colonial regulations for seamen to remain on shore in Sydney. In consequence of this affidavit, the Judge Advocate addressed the following letter to Mr. Macarthur on the day following, to which Mr. Macarthur returned the subjoined reply:—

“ Dec. 14, 1807.

“ Sir,

“ I have it in command from His Excellency the Governor, to acquaint you that the master, mariners, and crew of the schooner *Parramatta*, of which you are the owner, have violated the colonial regulations, by coming unauthorized on shore ; and that, in their justification, they say, you have deprived them of their usual allowance of provisions ; and they have no means of procuring them on board the schooner. In consequence of such their representations, I require your attendance at Sydney to-morrow morning, at ten o'clock, to show cause of such your conduct.

(Signed)

“ RICHARD ATKINS,

“ Judge Advocate.”

“ *To Mr. John Macarthur.*”

#### MR. MACARTHUR'S REPLY.

“ Parramatta, 14th December, 1807.

“ Sir,

“ I am to acknowledge the receipt of your letter of this date, ac-

quainting me that the master, mates, and crew of the schooner Parramatta have violated the colonial regulations, by coming unauthorized on shore ; and that they in their justification say, I have deprived them of their usual allowance of provisions, &c. ; for which conduct you require me to come to Sydney to-morrow, and show cause. I have only in reply to say, that you were many days ago informed I had declined any farther interference with the schooner, in consequence of the illegal conduct of the naval officer in refusing to enter the vessel, and retaining her papers, notwithstanding I had made repeated applications that they might be restored. So circumstanced, I could no longer think of submitting to the expense of paying and victualling the officers and crew of a vessel over which I had no control ; but previously to my declining to do so, my intentions were officially made known to the naval officer. What steps he has since taken respecting the schooner and her people, I am yet to learn ; but as he has had two police officers on board in charge of her, it is reasonable to suppose they are directed to prevent irregularities ; and thereof I beg leave to refer you to the naval officer for what farther information you may require upon the subject.

“ I am, sir, your humble servant,

(Signed) “ JOHN MACARTHUR.

“ *Richard Atkins, Esq., Judge Advocate.*”

The Judge Advocate, construing Mr. Macarthur's declining to attend at Sydney into a contempt of his authority, issued a warrant \* to apprehend his person, and convey him to Sydney, to answer in the case before himself and other justices of the peace on the 16th of December. Mr. Francis Oakes, to whom this warrant was addressed, had been sent out in the ship Duff about ten years before as a missionary to Otaheite, but had left the island in a twelvemonth after, in consequence of some demonstration of hostile feeling on the part of the natives ; and was then settled as chief constable at Parramatta, where Mr. Macarthur resided.

\* See Appendix, No. 2.



Mr. Oakes accordingly waited on Mr. Macarthur on the evening of the 15th, and after many humble apologies presented the Judge Advocate's warrant; on the perusal of which, Mr. Macarthur gave him the following written paper in testimony of his having duly executed it; observing at the time, agreeably to the tenor of an affidavit subsequently made by Mr. Oakes, "*that had the person who issued that warrant served it instead of him, he would have spurned him from his presence;*" "*that if he came a second time to enforce the warrant, to come well-armed, as he never would submit till blood was shed;*" and "*that he had been robbed of ten thousand pounds; but let them alone, they will soon make a rope to hang themselves.*"

" Parramatta, December 15, 1807.

" Mr. Oakes,

" You will inform the persons who sent you here with the warrant you have now shown me, and given me a copy of, that I never will submit to the horrid tyranny that is attempted, until I am forced; that I consider it with scorn and contempt, as I do the persons who have directed it to be executed.

(Signed) " J. MACARTHUR."

Mr. Oakes proceeded to Sydney early next morning, and delivered the note he had received to the Judge Advocate; relating first to that officer, and afterwards to the Governor in person, the particulars of his interview with Mr. Macarthur,—evidently with the devotedness of a servant who is conscious of being the bearer of important and agreeable intelligence, the relation of which may subsequently prove advantageous to himself. Mr. Oakes's deposition being then taken before a bench of

magistrates, the Judge Advocate issued a second warrant, addressed to the chief constables of Sydney and Parramatta, and requiring them to apprehend Mr. Macarthur, and lodge him in His Majesty's jail until he should be discharged by due course of law. In pursuance of this warrant, the two chief constables, with three of their myrmidons, armed with sticks or cutlasses, apprehended Mr. Macarthur at the house of Mr. Grimes, the Surveyor-General of the colony, in Sydney; and Mr. Macarthur, being brought before a bench of magistrates held in Sydney on the day following, (17th December, 1807,) was forthwith committed for trial for high misdemeanours before a criminal court to be assembled for the purpose, but was immediately liberated on bail.

The criminal court for the trial of Mr. Macarthur, consisting of the Judge Advocate and six officers of the New South Wales Corps, met at Sydney on the 25th of January, 1808; and as the case had excited intense interest, the court was quite crowded, and a number of the private soldiers of the Corps, (into which about fifty emancipated convicts had been enlisted,) armed with their side-arms, were in anxious attendance. The indictment had been prepared by an attorney of the name of Crosley, who had been transported for perjury, but had afterwards received a colonial pardon from Governor King, and was then living at the Hawkesbury. This person, it seems, had frequently been consulted on matters of law, with the Governor's express permission, by the Judge Advocate; as the latter had not received a legal education himself, and was consequently unpractised in such matters. The

indictment charged Mr. Macarthur with a contravention of the Governor's express order, in detaining the boilers of the two stills in his premises, and also with an intention to stir up the people of the colony to hatred and contempt of the Governor and government, in the inflammatory and seditious words he had uttered at a bench of magistrates in Sydney, convened at his particular instance to try Mr. R. Campbell, junior, for the seizure of the stills : it also charged him with intent to raise dissatisfaction and discontentment in the colony, and a spirit of hatred and contempt towards the Governor and government, in inducing the master and crew of the Parramatta schooner to come on shore in direct violation of the colonial regulations : and it charged him, moreover, with a seditious contempt of the authority of the Judge Advocate, and with uttering false, scandalous, malicious, defamatory, and seditious words, of His Excellency the Governor, in the paper he had given to the chief constable Oakes, and in the expressions he had used in conversation with that functionary respecting the Governor and government.

Previous to the trial, Mr. Macarthur had addressed a letter to the Governor, protesting for several reasons against the Judge Advocate's presiding on the occasion, and requesting that His Excellency would appoint some disinterested person to preside in his room : but the Governor being given to understand that the court could not be constituted without the Judge Advocate, refused to interfere, and replied that the law must take its course. As soon, however, as the Judge Advocate had administered the usual oath to the six officers, and

was proceeding to take it himself according to the usual form, Mr. Macarthur, who had in the mean time been surrendered to the court by his bail, interrupted the proceedings by protesting against the Judge Advocate's being a member of the court, and presiding on the trial. The Judge Advocate, however, having stated that there could be no court without him, and that he could not be objected to, as by the terms of His Majesty's patent the court could not be formed without him, Captain Kemp, one of the six officers, replied, that the Judge Advocate was nothing more than a juryman, or than one of themselves, and might therefore be objected to ; and then desired Mr. Macarthur to state his objections ; Lieutenant Lawson, another of the officers, exclaiming, "*We will hear him ;*" and the Judge Advocate being in the mean time compelled to remove from his seat as president of the court.

Mr. Macarthur, being thus allowed liberty of speech, read a long protest,\* with great animation both of voice and manner, addressing himself sometimes to the members of the court and sometimes to the by-standers.

On the conclusion of his address, the Judge Advocate called out to Mr. Macarthur, that he would commit him for his contemptuous language ; but Captain Kemp, addressing himself to the Judge Advocate, and calling out, "You commit! No, Sir, I will commit you to jail," or words to that effect ; the Judge Advocate, seeing nothing but confusion likely to ensue, and appre-

\* See Appendix, No. 3.



hensive of personal danger from the number of soldiers with their side-arms in and about the court, called out that he "adjourned the court," and desired the people to disperse; but Captain Kemp and the other officers called the people back, saying, "Stay, stay! tell the people not to go out: we are a court."

The Judge Advocate having then left the court, Mr. Macarthur called out to the officers, "Am I to be cast forth to the mercy of a set of armed ruffians—the police?" informing them at the same time, that "he had received private information from his friends that there was a set of armed ruffians prepared against him," and requesting, in a deposition\* to that effect, that they would give him a military guard. The officers accordingly pledged themselves for Mr. Macarthur's safety, saying, "We will protect you," and desired some of the soldiers in the court to guard him; but the provost-marshal, Mr. Gore, into whose hands he had been surrendered by his bail, considering the court adjourned on the Judge Advocate's proclamation, and regarding this procedure on the part of the officers as a rescue of his prisoner, immediately made affidavit of the circumstance before the Judge Advocate and three other justices of the peace, and procured their warrant for the apprehension of Mr. Macarthur, in order to his being lodged in His Majesty's jail.

In the mean time, the six officers addressed the following letter to His Excellency the Governor, to which

\* See Appendix, No. 4.

His Excellency immediately returned the subjoined reply:—

“ Sydney, January 25, 1808.

“ Sir,

“ We, the officers composing the Criminal Court of Jurisdiction appointed by Your Excellency, beg leave to state to you, that a right of challenge to the Judge Advocate, Richard Atkins, Esq. has been demanded by the prisoner, John Macarthur, Esq. which we, as a Court, after mature and deliberate consideration, have agreed to allow as a good and lawful objection. We therefore submit to Your Excellency, to determine on the propriety of appointing another Judge Advocate to preside in the present trial. We farther pray Your Excellency's protection in the execution of our duty, having been grossly insulted and threatened by Richard Atkins, Esq., with a seeming view to deter us in our proceedings.

“ We have the honour to be Your Excellency's

faithful and humble servants,

(Signed)

“ A. F. KEMP, Capt. N. S. W. Corps,  
J. BRABYN, Lieut. N. S. W. Corps,  
WM. MOORE, Lieut. N. S. W. Corps,  
THOS. LAYCOCK, Lieut.  
WM. MINCHIN, Lieut.

“ Addressed, WM. LAWSON, Lieut.”

“ On His Majesty's Service,  
His Excellency Gov. Bligh, &c.”

“ Government House, Sydney, January 25, 1808.

(Half past noon.)

“ Gentlemen,

“ In answer to your letter just received, I conceive that there could have been no cause of challenge to the Judge Advocate, who is the officer appointed by His Majesty's patent, and without *whose* presence there can be *no Court*.

“ And I consider that the Judge Advocate had a right to commit any person who might commit any gross insult to him, while he was in his official capacity as Judge of the Court. I do not consider the Court to be formed without the Judge Advocate; and when legally convened, I have no right to interpose any authority concerning its legal acts.

“ I therefore can do no otherwise than direct that the Judge Advocate

take his seat, and act as directed by His Majesty's Letters Patent, for the constituting the Court of Criminal Jurisdiction; which, being authorized by an Act of Parliament, is as follows:—‘And we farther will, ordain, and appoint, that the said Court of Criminal Jurisdiction shall consist of our Judge Advocate for the time being, together with such six officers of our sea and land service, as our Governor, (or, in case of his death or absence, our Lieut. Governor,) shall, by precept issued under his hand and seal, convene from time to time for that purpose.’

“ I am, gentlemen,

“ Your most obedient humble servant,

(Signed) “ WM. BLIGH.

“ To Capt. Anthony Fenn Kemp,

Lieut. John Brabyn,

Lieut. William Moore,

Lieut. Thomas Laycock,

Lieut. William Minchin,

Lieut. William Lawson,

“ Of His Majesty's New South Wales Corps.”

On receiving this letter from the Governor, the officers addressed a second letter to His Excellency, to the following effect:—

“ Sydney, January 25, 1808.

“ Sir,

“ We have had the honour of Your Excellency's opinion with respect to the objection made by a prisoner (John Macarthur, Esq.) to the Judge Advocate, in answer to our letter to Your Excellency on that subject.

“ We beg Your Excellency to be assured that we have at all times the utmost deference to any opinion delivered by you; but in the present case we cannot, consistent with the oath we have taken, or our consciences, sit with Richard Atkins, Esq. in the trial of John Macarthur, Esq. well knowing the hostile enmity which has existed between them for the last thirteen or fourteen years. We therefore pray Your Excellency's farther consideration on the subject.

“ We have the honour to be Your Excellency's

faithful and obedient servants,

(Signed)

“ ANTH. FENN KEMP, Capt. N. S. W. Corps,

J. BRABYN, Lieut. N. S. W. Corps,

WM. MOORE, Lieut. N. S. W. Corps,

THOS. LAYCOCK, Lieut.

WM. MINCHIN, Lieut.

WM. LAWSON, Lieut.”

“ His Excellency, Gov. Bligh,

&c. &c.”

The Judge Advocate having in the mean time addressed a memorial to the Governor, detailing the circumstances above mentioned, and also stating that on leaving the court the officers had refused to deliver up to him the papers connected with the proposed trial, His Excellency addressed to them the following communication :—

“ Government House, Sydney, 25th Jan. 1808.

(Quarter past two o'clock.)

“ Gentlemen,

“ In reply to your second letter of this date, I require that you deliver to Mr. William Gore, Provost Marshal, and Mr. Edmund Griffin, my Secretary, who accompanies him on the occasion, all the papers that the Judge Advocate left on the table, and which were refused to be sent to him by the constable; and also those which the prisoner John Macarthur has read before you, that they may be delivered to the Judge Advocate, His Majesty's legal officer.

“ I am, gentlemen,

“ Your most obedient humble servant,

(Signed)

“ WM. BLIGH.”

“ Addressed to

“ Capt. Anthony Fenn Kemp,

Lieut. John Brabyn,

Lieut. William Moore,

Lieut. Thomas Laycock,

Lieut. William Minchin,

Lieut. William Lawson,

“ Of His Majesty's New South Wales Corps.”

To this letter the following replies, enclosing a copy of Mr. Macarthur's deposition, were returned :—

“ Sydney, January 25, 1808.

“ Sir,

“ We take the liberty of inclosing to Your Excellency a copy of a deposition made before us, as Members of a Criminal Court this day assembled under Your Excellency's precept, by John Macarthur, Esq. a prisoner at the bar.

“ We earnestly entreat Your Excellency will be pleased to order such protection to be given to Mr. Macarthur, as in our humble opinion the nature of the complaint stated by him before us merits.



“ We beg leave to assure Your Excellency that it is not without the most heart-felt sorrow that we have been eye-witnesses this day of the laws having been grossly violated by Richard Atkins, Esq. the Judge Advocate, in threatening, before the sacred tribunal of a Criminal Court, to commit John Macarthur, Esq. the prisoner at the bar, who was pleading his own cause by the Court’s order, to jail, as a common felon.

“ We have the honour to be

“ Your Excellency’s most obedient humble servants,

(Signed) “ ANTH. FENN KEMP, Capt. N. S. W. Corps,  
J. BRABYN, Lieut. N. S. W. Corps,  
WM. MOORE, Lieut. N. S. W. Corps,  
THOS. LAYCOCK, Lieut.  
WM. MINCHIN, Lieut.  
WM. LAWSON, Lieut.”

“ *His Excellency Gov. Bligh, &c.*”

“ Sydney, January 25, 1808.

“ Sir,

We are honoured with Your Excellency’s letter, requiring of us to deliver to Mr. Gore and Mr. Edmund Griffin all the papers the Judge Advocate left on the table, and also those of the prisoner John Macarthur, Esq. read before us.

“ With all due submission to Your Excellency’s commands, we beg leave to state, that we are not defensible in giving up the papers alluded to, to any person, unless Your Excellency thinks *proper to appoint another* Judge Advocate to proceed on the trial of John Macarthur, Esq.

“ We have the honour to be

“ Your Excellency’s most obedient humble servants,

(Signed) “ ANTH. FENN KEMP, Capt. N. S. W. Corps,  
J. BRABYN, Lieut.  
WM. MOORE, Lieut.  
THOS. LAYCOCK, Lieut.  
WM. MINCHIN, Lieut.  
WM. LAWSON, Lieut.”

“ *His Excellency Gov. Bligh, &c.*”

In answer to these letters, the following communication was sent by His Excellency, to which the sub-

joined reply was returned by the officers at five o'clock P.M. :—

“ Government House, Sydney, 25th Jan. 1808.

(*Three-quarters past three o'clock.*)

“ Gentlemen,

“ I have required the Judge Advocate's papers, with those that were read by Mr. John Macarthur, and I now demand finally your answer, in writing, whether you will deliver these papers or not; and I again repeat, that you are *no Court* without the Judge Advocate.

“ I am, gentlemen,

“ Your most obedient humble servant,

(Signed)

“ WM. BLIGH.

“ Addressed to

“ Capt. Anthony Fenn Kemp,

Lieut. John Brabyn,

Lieut. William Moore,

Lieut. Thomas Laycock,

Lieut. William Minchin,

Lieut. William Lawson,

“ Of His Majesty's New South Wales Corps.”

“ Sydney, January 25, 1808.

“ Sir,

“ In answer to Your Excellency's letter, we beg leave to say, that we are ready to furnish Your Excellency with an attested copy of all the papers required; but the originals we are compelled to keep in justification of our conduct; or, should Your Excellency be pleased for the furtherance of the public service to appoint a Judge Advocate for the trial of Mr. Macarthur, we are ready to deliver them up to the person so appointed.

“ The Court constituted by Your Excellency's precept, and sworn in by the Judge Advocate, beg leave to acquaint you they have adjourned to wait Your Excellency's farther pleasure.

“ We have the honour to be

“ Your Excellency's most obedient humble servants,

(Signed) “ A. F. KEMP, Capt. N. S. W. Corps.

J. BRABYN, Lieut.

WM. MOORE, Lieut.

THOS. LAYCOCK, Lieut.

WM. MINCHIN, Lieut.

WM. LAWSON, Lieut.

“ His Excellency Governor Bligh, &c. &c. &c.”

In the mean time, the Governor being in the utmost perplexity as to what ought to be done in the case, a messenger was dispatched to Major Johnston, commanding the New South Wales Corps, with the following letter :—

“ Government House, Sydney, 25th January, 1808.

(Half-past five o'clock.)

“ Sir,

“ His Excellency, under particular public circumstances which have occurred, desires me to request you will see him without delay. I have the honour to be, sir,

“ Your most obedient humble servant,

(Signed) “ EDMUND GRIFFIN,

“ Secretary.

“ *To Major Johnston, commanding His Majesty's New South Wales Corps.*”

To this letter, Major Johnston, who lived about four miles out of town, and had very recently received an injury by a fall from his chaise, merely returned a verbal message, intimating that “ he was too ill to come to Sydney, and that he was unable to write.”

Early on the morning of the 26th of January, the provost marshal apprehended Mr. Macarthur, on the warrant granted by the Judge Advocate and the other three magistrates, to whom he had made affidavit on the preceding day that Mr. Macarthur was no longer in his custody, and lodged him in His Majesty's jail. The six officers being apprised of this circumstance, on their re-assembling pursuant to adjournment at ten o'clock, addressed the following letter to his Excellency on the subject :—

“ Court House, Sydney, 26th January, 1808.

“ Sir,

“ We have the honour to inclose Your Excellency an attested copy of

the Address delivered to the Court yesterday, by John Macarthur, Esq. a prisoner at our bar. The Address, we trust, will induce Your Excellency to concur in the opinion we have given, that the Judge Advocate, Richard Atkins, Esq. has been challenged on good and lawful grounds, and is ineligible to sit as a Judge in the cause before us.

“ We also take the liberty to submit to Your Excellency, that having taken an oath, ‘ well and truly to try, and a true deliverance make, between our Sovereign Lord the King and the prisoner at the bar, and a true verdict give according to evidence,’ that we are bound to proceed to the trial of John Macarthur, Esq. or to violate our oath. We therefore pray that Your Excellency will be pleased to nominate some impartial person to execute the office of Judge Advocate.

“ It is with much concern we have learned by the inclosed deposition made before us by G. Blaxcell, Esq. and N. Bayly, Esq. that the body of John Macarthur, Esq. the prisoner arraigned before us yesterday, has been forcibly arrested from the bail which the Court remanded him in; which illegal act of the Magistrates, (grounded on the false deposition of Mr. William Gore, Provost Marshal,) we beg leave to represent to Your Excellency, is in our opinion calculated to subvert the legal authority and independence of the Court of Criminal Jurisdiction, constituted in this colony by His Majesty’s letters patent; and we therefore pray that Your Excellency will discountenance such magisterial proceedings, pregnant with the most serious consequences to the community at large; and that Your Excellency will be pleased to take measures to restore John Macarthur, Esq. to his former bail, that the Court may proceed on his trial.

“ We are Your Excellency’s

faithful and obedient humble servants,

(Signed) “ A. F. KEMP, Capt. N. S. W. Corps.

J. BRABYN, Lieut.

WM. MOORE, Lieut.

THOS. LAYCOCK, Lieut.

WM. MINCHIN, Lieut.

WM. LAWSON, Lieut.

“ *To His Excellency Governor Bligh, &c. &c. &c.*”

No answer having been sent by the Governor to this letter, the officers again adjourned at three o’clock, P.M. In the mean time, the Judge Advocate, having accused



the officers, in his memorial to His Excellency above mentioned, of "crimes amounting to a usurpation of His Majesty's government, and tending to incite or create rebellion, or other outrageous treason, in the people of the territory," and having prayed His Excellency "to take such measures in the case, as the nature thereof, in His Excellency's judgment, might require," the Governor determined to issue a summons to the officers requiring them to appear before him at Government House on the following day. A summons was accordingly addressed to each of the officers to the following effect:—

"By His Excellency William Bligh, Esq. Captain-General and Governor-in-chief in and over His Majesty's Territory of New South Wales and its Dependencies, &c. &c.

"The Judge Advocate having presented a memorial to me, in which you are charged with certain crimes, you are therefore hereby required to appear before me at Government House, at nine o'clock to-morrow morning, to answer in the premises.

"Given under my hand and seal at Government House,  
Sydney, this 26th day of January, 1808.

(Signed) "WM. BLIGH, (L.S.)

"To Capt. Anthony Fenn Kemp, of His  
Majesty's New South Wales Corps.

"By command of His Excellency,

(Signed) "EDMUND GRIFFIN, Secretary."

At the same time, the Governor wrote as follows to Major Johnston:—

"Government House, Sydney, 26th January, 1808.

"Sir,

"In answer to my letter of yesterday I received a verbal message by my orderly from you, that you was rendered by illness totally incapable of being at Sydney: I apprehend the same illness will deprive me of

your assistance at this time; and the Judge Advocate having laid a memorial before me against six of your Officers, for practices which he conceives treasonable, I am under the necessity of summoning them before me, and all the Magistrates have directions to attend at nine o'clock to-morrow morning.

"I leave it for you to judge whether Capt. Abbott should be directed to attend at Sydney, to command the troops in your absence.

"I am, sir,

"Your most obedient humble servant,

(Signed) "WILLIAM BLIGH.

"To Major Johnston, commanding His  
Majesty's New South Wales Corps."

To this letter a verbal message was again brought in reply by the Governor's orderly, intimating "that Major Johnston desired him to inform the Governor that he was so ill as to be unable to write, but that he would get a person to write an answer in the evening." The object of the Governor in these measures was that the six officers should be brought before himself and a bench of magistrates, as a grand jury, to ascertain whether there was ground sufficient for committing them for trial before a criminal court, for treasonable practices or other high misdemeanours.

In this stage of the proceedings it would seem that the six officers took it for granted that the Governor intended to set aside the criminal court altogether, and to invest the magistrates with its powers, after having first imprisoned the officers; and it would seem also that Mr. Macarthur's friends were incessant in their endeavours to prepossess them with this idea. It appears, however, from the testimony of Mr. Griffin, the Governor's secretary, that His Excellency had no such intention; but that, in the event of sufficient ground for com-

mitting the officers for trial being found on their examination, the magistrates were in future to take cognisance of all such minor cases as should come within their jurisdiction, while all cases of a criminal character were to lie over till the Governor should hear from England.

On receiving the Governor's second letter, Major Johnston, though still suffering considerably from his fall, came to Sydney about five P. M., and drove up to the military barrack, where, the officers of the New South Wales Corps and a few other persons gathering around him, and representing the state of things in as dismal colours as possible, persuaded him to usurp the government of the colony, and to place the Governor under arrest.

The first overt act committed in accordance with this advice, was an order for the liberation of Mr. Macarthur from His Majesty's jail.\* On being liberated from the jail, Mr. Macarthur went direct to the military barrack, where Major Johnston and the officers and other persons, by whose advice he was acting, were still assembled. It would be absurd to doubt whether Mr. Macarthur was not previously well acquainted with the measures in contemplation; but on being formally apprised of these measures, he represented to Major Johnston the propriety of having a requisition addressed to him, on the part of the inhabitants, urging him to provide for the public safety by placing the Governor under arrest. Mr. Macarthur was accordingly em-

\* See Appendix, No. 5.

powered to draw up such a requisition, which he did forthwith to the following effect; placing his own name at the head of the list, which comprised only a very few names, at the utmost not more than nine, and probably not more than six, when the violent measure which it recommended was actually carried into effect.

“ January 26, 1808.

“ Sir,

“ The present alarming state of this colony, in which every man's property, liberty, and life are endangered, induces us most earnestly to implore you instantly to place Gov. Bligh under arrest, and to assume the command of the colony. We pledge ourselves, at a moment of less agitation, to come forward to support the measure with our fortunes and our lives.

“ We are with great respect, sir,

“ Your most obedient servants.

“ *To Major Johnston, Lieut. Governor, &c.  
commanding the New South Wales Corps.*”

Of the persons who signed this requisition, as well before as after the measure which it professed to recommend had been carried into effect, the greater number consisted of dissatisfied, discontented persons,—a description of persons, of whom there will always be found a sufficient number under any government under the sun. In addition to Mr. Macarthur, for instance, there was his partner Mr. Blaxcell, who was doubtless equally concerned in the affair of the schooner Parramatta; there was Mr. John Blaxland, now a member of the Legislative Council of the Colony, and his brother, Mr. Gregory Blaxland, who had private grievances of their own, of the usual colonial character, in having neither



got as much land nor as much convict labour as they thought themselves entitled to ; there was Mr. Simeon Lord, whose right to an allotment of ground adjoining the Government domain the Governor had recently called in question ; there was Mr. D'Arcy Wentworth, whom the Governor had suspended from his office as assistant surgeon, after he had been publicly reprimanded by Major Johnston for disobedience of orders, pursuant to the sentence of a general court martial ; and there was Mr. Nicholas Bayly, who by some unfortunate mistake had no office at all under Governor Bligh, but was immediately made Provost-marshal and Private Secretary by Major Johnston.

The necessary arrangements having thus been made, orders were immediately given for the regiment to form, and the drum was accordingly beat loud and hard between six and seven o'clock the same evening. The regiment was instantly formed in the barrack-square, and marched immediately at a quick pace towards Government House, with bayonets fixed, colours displayed, and military music. Lieutenant Bell, now a member of the Legislative Council of the Colony, commanded the Governor's guard at the time : whether he had been regularly relieved of that important charge or not, I do not know ; but he was observed from Government House ordering his men to prime and load before the regiment had come up, and he immediately afterwards joined the rest of the corps. Mrs. Putland, the Governor's daughter, whose husband, a lieutenant in the navy, had been interred only a few days before, (on which occasion Major Johnston was chief mourner,) presented

herself at the gate of Government House, and endeavoured to prevent Mr. Bell's entrance; but the house being immediately surrounded by the soldiery, an entrance was soon effected. The Governor, however, was for some time not to be found; but every room and crevice in the house being eagerly searched for him by the soldiers, he was at length discovered standing behind a cot which was hanging in a back apartment, to which he had retired on the approach of the military, in the act of concealing certain papers of importance.\*

Governor Bligh has been much reprobated for his conduct on this occasion; and the charge of tyranny, which has often been brought against him with great virulence, has been generally acquiesced in the more readily, because of its being supported by the additional charge of cowardice. Had the Governor stood boldly forward, and shot the commanding officer of the New South Wales Corps at the head of his regiment, as certain colonial wiseacres think he ought to have done, his own life would in all likelihood have been instantly sacrificed; but then the last act of his administration would have sanctified all that had preceded it, and the memory of his alleged misgovernment would have been buried for ever in the grave of a hero. It is somewhat singular that the world reserves all its sympathy for what is merely splendid in action, and will scarcely

\* The account of this part of the affair subsequently given by the Governor on the trial of Major (then Colonel) Johnston, before a court-martial held at Chelsea Hospital in the year 1811, will be found in the Appendix, No. 6.

allow the award of common justice to what is merely right. As things happened, I will allow that it would have been better for the Governor to have met Major Johnston at the gate of Government House, and expostulated with him on the impropriety and the danger of his procedure ; and, after a full and explicit declaration of his intentions, in regard to the officers, to have recommended and commanded his immediate return to his duty. But it was the Governor's intention, on ascertaining that an insurrection had actually taken place, to effect his escape, if possible, to the interior of the colony ; where he felt satisfied he would have been gladly received by the free settlers, in whose hands he would have been perfectly safe, if not in a condition to set the corps at defiance : and the circumstance of his being discovered and seized, when endeavouring to carry this prudent intention into effect—a circumstance which sufficiently demonstrates the suddenness of the movement, and the Governor's entire freedom from all suspicion of any thing of the kind—was not one whit more disgraceful to his character as a British officer, than it would have been disgraceful to King Charles II., to have been discovered and apprehended by the soldiers of Oliver Cromwell, when concealed in the thick foliage of the royal oak.

In reviewing the series of anomalous transactions I have thus narrated, it would seem that there was a singular want of courtesy on the part of the naval officer, Robert Campbell, Esquire, in not giving Mr. Macarthur such a receipt, in the matter of the stills, as that gentleman required, and as would have merely expressed

the simple fact in the case in question. Nay, it may even be questioned whether any of the subsequent events would have happened at all, if an occasion of offence had not been given by this apparently trivial circumstance. We are apt to suppose that great and important events must uniformly have their origin and commencement in circumstances equally important. They more frequently originate in what the world calls trifles.

On the other hand, Mr. Macarthur's procedure in prosecuting Mr. Campbell, jun. before a bench of magistrates for an alleged illegal seizure of his property, and in making the statement he emitted on the occasion, was evidently and strongly reprehensible. The distillation of spirits had been prohibited in the colony, and the Governor had therefore an undoubted right to forbid the landing of every thing in the shape of stills in the territory. He had merely exercised that right in the case in question; and it was in direct contravention of his orders, that the copper boilers of the stills had been allowed by the naval officer for the time being, (J. Harris, Esquire, formerly Surgeon of the New South Wales Corps,) to be conveyed to Mr. Macarthur's premises instead of the King's store. Mr. Macarthur, or at least his partner, had been duly apprised of all this; and although it might have suited Mr. Macarthur's convenience to have used the coppers in some other way, every candid person will allow that the Governor was perfectly in the right to enforce his original order, and to desire the naval officer to see that every part and pendicle of the stills should be sent out of the colony;



for, independently of other considerations, the Governor could not be ignorant that there was mechanical ability enough in the colony to manufacture heads and worms for the boilers, and notorious smugglers enough to use them for the purpose for which they had evidently been intended. No blame could therefore be attached to the Governor throughout the whole transaction. The procedure of Mr. Campbell, jun. in carrying off the boilers, was clearly quite different from such a seizure of private property as is punishable by the laws of England: the prosecution of Mr. Campbell before a bench of magistrates was consequently a most anomalous transaction; and Mr. Macarthur's speech before the bench and in open court, was, under all the circumstances, uncalled for, and calculated to give great offence to a man of so exceedingly irascible a disposition as Governor Bligh.

The escape of the convict Hoare in the Parramatta schooner undoubtedly constituted a sufficient ground of action, on the part of the colonial government, against the captain and owners of that vessel. It would seem, however, that there had been some delay on the part of the colonial government in bringing the matter to a proper bearing; but this delay had evidently arisen from the non-compliance of the owners with the colonial regulations, in refusing to give the requisite security for the payment of the penalty they had incurred. Mr. Macarthur's subsequent procedure, in abandoning the vessel, and ordering the master and crew ashore, in contravention of another government regulation, appears to have been a mere stratagem, intended to bring the

government to an immediate decision of the case in favour of the owners ; for it appears that the master of the schooner provoked the Governor exceedingly (inso-much that His Excellency actually swore at him,) by dunning him on the subject personally at Government House.

It does not appear that the method which the Judge Advocate employed to bring Mr. Macarthur to reason was indefensible. The Judge Advocate's letter, requiring Mr. Macarthur's attendance in Sydney, was doubtless not a summons properly so called in the eye of the law ; but as it commenced with " I have it in command from his Excellency," Mr. Macarthur ought surely to have received it in that light, and yielded obedience accordingly. When the Judge Advocate found, however, that Mr. Macarthur had not regarded it in that light, his proper course was to have sent a summons for his attendance *in due form* : but instead of doing so, he interprets his non-attendance as a contempt of authority, and sends a warrant for his apprehension to the chief-constable at Parramatta, as if he had been a rogue and a vagabond ; and because Mr. Macarthur expressed himself in regard to this warrant in the indignant manner in which an honest man was likely to have expressed himself in such circumstances, he posts off with the constable who gives him the information to Government House, to hatch up a criminal indictment against Mr. Macarthur, and to have him apprehended, imprisoned, tried, and punished as a traitor.

Much blame was attached by Mr. Macarthur to the ex-missionary constable Mr. Oakes, in having given to

his conversation a totally different construction from what Mr. Macarthur alleged it was intended to bear ; for it was evidently the report of this very zealous emissary that occasioned the criminal prosecution to which Mr. Macarthur was subjected, with all its calamitous results. It is difficult, however, to determine the exact degree in which Mr. Oakes was blamable, or whether he was to blame at all : he was bound to tell all he heard, for he was put to his oath ; and it seems, the information he had to communicate was neither unimportant to his betters nor unpalatable.

It was the official incapacity and the personal worthlessness of the Judge Advocate, however, that contributed mainly to the catastrophe that ensued. This individual, it seems, had been the broken-down relative and dependent of some person in power, through whose influence he had obtained the highly important and responsible situation which he held in the colony. Not having received a legal education, however, he was quite unable to afford the Governor that information which was sometimes essentially requisite in matters of law, and His Excellency was therefore reduced to the humiliating necessity of receiving such information from a perjured, pilloried, and transported attorney : dissipated in his habits, and disreputable in his conduct, it was impossible that the Governor could treat him either with confidence or respect ; for he had even been prosecuted in the colony on a charge of swindling. Had this colonial dispenser of justice been a lawyer, he would not have rendered it necessary to have recourse to objectionable and polluted sources for legal informa-

tion: had he been a man of character, of firmness, and integrity, he would in all likelihood have prevented the prosecution of Mr. Macarthur. At all events, he would not have afforded that gentleman the singular advantage he derived from his own moral worthlessness and official incapacity.

When a prosecution degenerates into a persecution, the injured party has an undoubted right to employ every lawful and available expedient to set it aside; but I am altogether at a loss to discover the propriety of the measure to which Mr. Macarthur resorted in protesting against the Judge Advocate. "It was utterly impossible under any circumstances," observes the Right Honourable Charles Manners Sutton, Judge Advocate-General of His Majesty's Forces, on the trial of Colonel Johnston in 1811; "it was utterly impossible under any circumstances, and not speaking with a view to this particular charge, it was perfectly incompetent to any person brought before that court, to offer a challenge against the Judge Advocate sitting upon it; he might as well offer a challenge against a judge in this country sitting at the assizes. The Governor has no more right to change the Judge Advocate who sits upon that court, than he has to change a judge in England or any where else." But the policy of the measure to which Mr. Macarthur had recourse in challenging the Judge Advocate was not less questionable than its propriety. Taking it for granted that it was a vexatious and unjust prosecution that had been got up against him by the Government, and that the judge was actuated with the most hostile feelings towards him, had he no confidence in his own ability to



manage his defence, or in the integrity of the six officers who were to constitute his jury, and who seem, for the most part, to have been devoted to his interests? In short, Mr. Macarthur's procedure in challenging the Judge Advocate, was impolitic in the highest degree.

As to what followed—the arrest of the Governor and the usurpation of the Government—there can be but one opinion; it was downright rebellion. Nay, what is worse, it cannot be regarded as the result of the mere impulse of a moment; it appears rather to have been the concluding scene of a plot which had been long concocting. Previous to Governor Bligh's arrival, every thing disrespectful had been industriously circulated respecting him in the colony; and there seems to have been a latent determination in certain quarters to resist his authority, and to put him down. This determination was speedily roused into action by the Governor's zealous and successful endeavours to put down the barter of spirits, and by a salutary regulation he established, shortly after his arrival in the colony, in regard to the colonial currency; for as both of these measures had the good effect of discountenancing that system of rapacity and oppression which had long prevailed in the colony, and of extending the shield of the Governor's protection to the industrious classes of the community, they were the more obnoxious in certain influential quarters: and when the prosecution of Mr. Macarthur—an old officer of the New South Wales, or rum-bartering Corps—had afforded a centre of attraction for all the discontentment of that body, as well as for all the latent dissatisfaction of the colony, the

spirit it had aroused evinced itself in a manner equally offensive and unequivocal : for on the day preceding the trial, Mr. Macarthur's son and nephew and two bailsmen were all dining along with the six officers who were to sit in judgment on Mr. Macarthur, under the Governor's precept, on the following day, at a public mess-dinner in Sydney ; the colours of the regiment being displayed on the occasion, and the military band playing till a late hour in the evening. Mr. Macarthur, it is true, was not at the dinner himself ; but he spent the evening in walking to and fro on the parade in front of the mess-room, doubtless enjoying the exhibition, and listening to the music !

After Governor Bligh had written a second time to Major Johnston on the afternoon of the 26th, it was evidently in the power of that officer to have preserved tranquillity. Had he only gone to Government House, and in strong terms supported the measure of his brother officers, in refusing to receive as their president a Judge, of whose impartiality in the particular case for trial they were more than doubtful, requesting and conjuring His Excellency to appoint some disinterested person in his room, there is no doubt whatever but that the King's peace would have been preserved, and the matter have ended to his entire satisfaction. But there was evidently no wish to preserve the King's peace : it had been resolved by the Corps that the Governor's authority should be subverted, and it was done forthwith.

Major Johnston was by no means a man of strong mind, and the position he occupied as the commanding

officer of the New South Wales Corps, at the head of this insurrectionary and rebellious movement, was purely accidental ; Colonel Patterson, who commanded the regiment, having been for some time previous at Port Dalrymple in Van Dieman's Land, and Lieutenant-Colonel Foveaux being absent on leave in England. Indeed, if Major Johnston had been a man of commanding intellect, he would have perceived the danger and the criminality of his enterprise, and the result would in all likelihood have been very different : but he was merely an unfortunate instrument in the hands of others ; and the circumstance illustrates the important truth, that power is often far more dangerous to the liberties and the welfare of the people in the hands of a good-natured, easily-advised, weak man, than in those of a man of much inferior moral principle, but of masculine understanding.

It was on the 26th of January, 1808, the twentieth anniversary of the founding of the colony, that Major Johnston assumed the government of New South Wales, as Lieutenant-Governor of the territory.

On the 27th the following general order was published, together with a proclamation to the inhabitants and the soldiery, concluding in the following grandiloquent style :—

“ Soldiers !

“ Your conduct has endeared you to every well-disposed inhabitant in this settlement ! Persevere in the same honourable path, and you will establish the credit of the New South Wales Corps on a basis not to be shaken.

“ God save the King !”

## “ GENERAL ORDER.

“ Richard Atkins, Esq., Judge Advocate, is superseded from that office, and Edward Abbott, Esq. is appointed Judge Advocate during his suspension. Anthony Fenn Kemp, Esq., John Harris, Esq., Thomas Jamieson, Esq., Charles Grimes, Esq., William Minchin, Esq., Garnham Blaxcell, Esq., John Blaxland, Esq., and Archibald Bell, Esq., are appointed Magistrates; and those persons who heretofore performed the duties of that office are to consider themselves dismissed. Lieut. Lawson is appointed Aide-de-camp to His Honour the Lieutenant-Governor. Nicholas Bayly, Esq. is appointed Secretary to His Honour the Lieutenant-Governor, and to be Provost Marshal during the suspension of William Gore, Esq., who is hereby suspended from that office. John Palmer, Esq. Commissary, is suspended from that office; and James Williamson, Esq. is directed to take upon himself the charge of His Majesty's stores, and act as Commissary during his suspension.

“ Robert Campbell, Esq. is dismissed from the office of treasurer to the public funds, naval officer, and collector of taxes, and is hereby directed to balance his accounts, and to deliver them to His Honour the Lieutenant-Governor. Thomas Jamieson, Esq. is appointed naval officer.

“ By command of His Honour the Lieutenant-Governor,

(Signed) “ NICHOLAS BAYLY, Secretary.

“ *Head Quarters, 27th of January, 1808.*”

On the 30th of January another general order was published, of which the following is an extract. Whether piety or hypocrisy is its leading feature, the reader will of course determine for himself:—

“ The Rev. Henry Fulton is suspended from discharging in future the office of Chaplain in the colony. [N.B. He had adhered to the Governor.]

“ The Officers, civil and military, are ordered to attend divine worship on Sunday next, at the New Church, and every well-disposed inhabitant is requested to be present to join in thanks to Almighty God, for his merciful interposition in their favour, by relieving them without bloodshed from the awful situation in which they stood before the memorable 26th instant.”

On the 12th of February Mr. Macarthur was ap-



pointed a magistrate of the territory and colonial secretary: on the second of that month he had been tried, on the indictment prepared by Judge Advocate Atkins, before a criminal court held under the precept of the Lieutenant-Governor, and consisting of the six officers who had been appointed to act in the same capacity on the 25th of January by Governor Bligh; Charles Grimes, Esq., Surveyor-General of the colony, acting as Judge Advocate on the occasion. The result of that trial was his unanimous acquittal—a result which confirms the opinion I have already expressed; viz. that with such jurors as the six officers, Mr. Macarthur had nothing to fear, and might therefore have gone to his trial before Judge Advocate Atkins with perfect safety. In regard to his official appointment—without derogating in the least from Mr. Macarthur's personal character and intellectual ability—it would surely have been much better for Major Johnston, if, under such circumstances as had occurred, it had not taken place.

In the mean time, different classes of persons throughout the colony regarded the subversion of Governor Bligh's authority very differently, according as they were severally influenced by their particular views and interests. The military and the grog-sellers of Sydney were quite vociferous in praise of the new *régime*, celebrating the accession of Major Johnston with bonfires, laudatory addresses, and the other customary demonstrations of joy. To increase the number of these addresses, and thereby to demonstrate to the British Government the universality of the feeling of

satisfaction that pervaded the colony in regard to the subversion of the late Governor's authority, wholesome stimulants were opportunely administered in various directions ; the fears of some individuals being adroitly wrought upon, while others were won over by unmerited indulgences. Mr. Arndell, one of Governor Bligh's magistrates, signed one of these laudatory addresses to Major Johnston, but addressed a private letter to Governor Bligh immediately after, assuring him that he had so done under the influence of fear. There was some ground for this feeling, it must be allowed ; Mr. Gore, the Provost-Marshal, having not only been suspended from his office, but imprisoned in one of the condemned cells of the jail for eleven weeks and four days, on a charge of perjury, forsooth, *in having made affidavit that Mr. Macarthur was out of his custody on the 25th*, for which offence he was afterwards torn from his wife and infant family, and sent to the coal mines at Newcastle for four months ; while Crosley, the emancipist attorney, who had merely acted at the request of the Judge Advocate, with the Governor's express permission, in preparing the indictment against Mr. Macarthur, was sentenced to seven years' transportation. On the other hand, rum from the King's store, permits to land and licenses to retail ardent spirits, grants of land and government cattle, were distributed largely to that part of the free population that either approved of the late measures, or were likely to do so *with proper encouragement* ; free pardons and other lesser indulgences being dealt out with equal profusion to the bond.

In this way a number of persons of the worst character were turned loose upon the colony, to the great annoyance of the free settlers ;\* and as an idea had also got abroad among the convicts that the colony had now become free, and that it was no longer obligatory to labour, the result was a state of anarchy that produced a general neglect of the cultivation of the soil, and was otherwise distressing in the extreme to the well-disposed part of the population.

The encouragement which Governor Bligh had uniformly extended to that part of the population, during the short period of his government, had rendered him extremely popular, both among the free emigrant and the better part of the emancipated convict settlers, and united them strongly in his favour. To prevent a reaction,† therefore, all public meetings (saving and except

\* In Major Johnston's despatch to Lord Castlereagh, of date April 12, 1808, which was written by the Colonial Secretary, much credit is taken for having relieved the King's stores of the maintenance and clothing of *three hundred persons*. It is easy to do His Majesty a service of this kind at any time in New South Wales, simply by throwing open the jail door, or turning loose the jail gang.

† That something of this kind was actually apprehended is rather insinuated than expressed, in the following paragraph of Major Johnston's despatch to Lord Castlereagh, referred to in the preceding note :— "I am now, my Lord, arrived at the most painful part of my task—an explanation of the causes that have prevented me from preparing a better and arranged statement of the transactions in which I have been engaged : it is with deep concern I find myself obliged to report to your lordship, that the *opposition* of those persons from whom I had most reason to *expect support*, has been one of the principal obstacles I have had to encounter." And again ; "The unanimity in which I felt so much pleasure, I quickly discovered was not to be preserved without a sacrifice of His Majesty's interests, and a departure from the regulations that have been made to check the importation of spirituous liquors into

for the purpose of addressing the existing authorities) were strictly prohibited; and so vigilant was the superintendence of the dominant party in this particular, that information having been given that meetings were, nevertheless, held weekly by the Presbyterian settlers of Portland Head, Lieutenant Bell was despatched with a constable on the day of meeting to take cognisance of the matter, and, if necessary, to disperse the unlawful assembly: but finding them all peacefully engaged in the public worship of God, (for the day of meeting was the Sabbath,) he remained till the conclusion of the service, and then assured them they should experience no farther annoyance. The Presbyterian settlers had, probably, incurred suspicion by their refusal to attend the muster of their district, which had been ordered by the existing authorities shortly after the Governor had been deposed; or to recognise these authorities in any way.

But though prevented from making any open demonstration in favour of the Governor, the free settlers were still anxious to do every thing in their power for His Excellency, now especially that *his back was at the wall*.

With this view, two respectable individuals of that class, viz. Mr. George Suttor, and, if I recollect aright, Mr. Smith or Mr. M'Dougall, both of Baulkham Hills—a small settlement beyond Parramatta, long deservedly famous in the colony for its valuable orange-groves—exerted themselves in getting a memorial to His

the colony.” In fact, it was a scramble that Major Johnston’s supporters wanted, and not a mere change of government. Like sailors when a ship is sinking, they wanted to get at the rum casks.



Majesty's Government, in favour of Governor Bligh, drawn up and signed by the free settlers, and forwarded to England : but the circumstance being discovered by the existing authorities, they were both subjected to a long imprisonment, for going about, forsooth, *to disturb the peace of the colony* ; and ways and means were adopted to counteract their memorial by vilifying the character of the whole body to which they belonged.

This procedure on the part of the free settlers rendered it expedient for the existing authorities to get rid of Governor Bligh as soon as possible : for this purpose he was at length forced to leave Government House, where he had uniformly been kept under the closest restraint, being followed by a sentry wherever he went, and was thenceforth confined with his daughter to a subaltern's apartments in the military barracks, where he was kept a close prisoner, and was not permitted to have any intercourse with his friends. After much fruitless negociation, however, he was allowed, in the month of March, 1809, on condition of his proceeding forthwith to England, to resume the command of His Majesty's ship *Porpoise*, which was then lying in the harbour, and on board of which he accordingly embarked : but instead of proceeding direct to England, he sailed for the Derwent River in Van Dieman's Land, which was then a dependency of New South Wales. He was there treated at first with every degree of respect ; but despatches being forwarded in the mean time from head-quarters, giving information of the conditions on which he had been permitted to leave the parent colony, an attempt was made to seize his person, and he was obliged to re-

embark. He remained on the coast of that island, in daily expectation of despatches from England, during the remainder of the year 1809, and was lying in Adventure Bay, when Colonel Macquarie arrived in Sydney, on the 28th of December of that year, as Governor of New South Wales; the affairs of the colony having been successively administered during the period that had elapsed from the subversion of his authority, on the 26th of January, 1808, by Major Johnston, Lieutenant-Colonel Foveaux, and Colonel Patterson, of the New South Wales Corps. Colonel Macquarie had been ordered to reinstate him in the government of the colony for the period of twenty-four hours after his own arrival; but in consequence of his absence at the time, this was not done. He was apprised, however, by Lord Castlereagh, who was then Secretary of State for the Colonies, that "the mutinous outrage committed upon him had caused the strongest sensation, and that His Majesty had ordered Major Johnston to be sent home in strict arrest, to be brought to trial for his conduct, and the New South Wales Corps to be relieved by the 73rd regiment." He was empowered at the same time to carry home with him to England all such persons as he should think necessary to appear in evidence, "to substantiate the charge of that officer's mutinous proceedings."

Much credit has been claimed for superior management by the friends of the interim government, on the ground that no bills were drawn for a considerable period on His Majesty's Treasury, for the public expenses of the colony: but who would have taken such

bills in such circumstances? The government herds, however, were sadly diminished in number during that period; duties on imports were imposed, and levied, and expended; and the King's stores, which were well replenished under Governor Bligh's administration, soon presented *a beggarly account of empty boxes*. The gentlemen of the New South Wales Corps were not the men to govern a colony for nothing; for I conceive it is much the same whether the King's debts are paid by bills on his Treasury, or by selling his goods.

Captain Bligh arrived in Sydney from Van Dieman's Land in the month of January, 1810, a few weeks after the arrival of Governor Macquarie: he sailed for England on the 12th of May, and arrived on the 25th of October following. There had been a change of ministry in the mean time, and the new authorities were for some time wonderfully indifferent about the colony. Besides, every means which the ingenuity of malignity could devise, had been used by Governor Bligh's enemies,—and, I am sorry to add, not altogether unsuccessfully in certain quarters,—to ruin his character, and to render him an object of universal detestation. He was immediately promoted, however, to the rank of Rear Admiral in the navy, and was employed in active service; and on his application to the proper authorities, Lieutenant-Colonel Johnston, who had in the mean time obtained a step through the death of Colonel Patterson, was at length brought to his trial before a court-martial held at Chelsea Hospital on the seventh of May, 1811, Lieutenant-General Keppel, president. The trial lasted for thirteen days, many witnesses having

been examined who had been brought home to England from New South Wales, both on the part of the prosecution and on that of the defence, at a prodigious expense to the public. For the decision of the Court, see Appendix, No. 7.

In the course of the trial the most frivolous and unfounded charges were brought by Colonel Johnston's witnesses against Governor Bligh. It was attempted to be established, for instance, that he had been in the habit of pulling down the houses of private individuals, and preventing them from building on their allotments. In answer to this charge, it was proved satisfactorily that a line of demarcation had been drawn around Government House by Governor Phillip, within which no private individual was allowed to erect any building: Governor King had, however, allowed a few cottages to be built within the line by private individuals, to the great inconvenience and annoyance of his successor. These cottages, which at best had been but paltry erections, Governor Bligh had ordered to be removed within a certain limited period, which was afterwards extended; offering the proprietors, however, eligible allotments in other situations, together with assistance from Government for the erection of other cottages. A similar line of demarcation had, it seems, been drawn by a former Governor around St. Philip's church in the town of Sydney; within which, however, Governor King had granted an allotment to Mr. Macarthur a few months before he left the colony. That allotment remained unoccupied and unenclosed till the middle of January, 1808, when the affair of the Parramatta



schooner had placed Mr. Macarthur in some measure at variance with the authorities. In the mean time, the Governor had signified to Mr. Macarthur, through the Surveyor-General of the colony, that he was not to fence in the allotment, as he had written to the Secretary of State on the subject of its appropriation ; but that he might have any other vacant or unappropriated allotment in the town. Mr. Macarthur accordingly pointed out three different allotments, all of which he was told, however, had already been appropriated for other purposes. Not choosing to make any other selection, he then notified to the Surveyor-General that he was determined to keep the allotment he had got from Governor King, and accordingly hired certain soldiers of the New South Wales Corps to enclose it with a fence : the Governor, however, having ordered the superintendent of convicts to prevent the enclosure of the ground, the latter did so accordingly by pulling up the first post that was erected for the rail fence. To the charge of unjustly interfering with private property, founded on this transaction, the Governor replied, that in addition to the allotment having been expressly included in a previous reservation for the church—on which subject he had particularly solicited the Secretary of State's commands—it contained a public well, which had long supplied many of the inhabitants of Sydney with water. To the truth of this statement I can bear testimony, as part of the allotment in question, including the well, was afterwards granted by Sir Thomas Brisbane to the Scots church ; and, singular as the coincidence may appear to the reader, when the

parties in charge of the ground proceeded to fence it in, during the year 1824, at a time when Sir Thomas Brisbane was absent at Moreton Bay, and the writer in England, the civil engineer of the colony, who wished to have a part of it appropriated for some other public purpose, caused the fence to be torn down, and erected a house, for Government purposes, on a portion of the allotment, observing that "the Government had given the Scots church nothing that could not be resumed." Governor Bligh's principle was very different: it was merely that no Governor could grant to any private individual what had already been appropriated by a former Governor for the public service. But, even supposing that His Excellency's endeavour to dispossess Mr. Macarthur of the allotment in question was an unjustifiable interference with private property, and that the fine awarded in the case of the Parramatta schooner was equally unjustifiable; redress could have been had in either of these cases by an appeal to the Secretary of State; and the circumstance of there having been no such appeal presented in any case during Governor Bligh's administration, and no complaint made against him from the colony previous to his arrest, is a sufficient proof that proper means had not been resorted to by the parties concerned in that violent measure, before proceeding to extremities.

It was also asserted, that Governor Bligh had interfered with the sentences of courts of justice, and had even caused individuals to be punished twice for the same offence. This allegation was most distinctly and satisfactorily disproved in every instance, without ex-

ception, to which it referred. Nay, it was even proved that Governor Bligh had caused the practice of inflicting arbitrary and illegal punishments, (as in the case of the imprisonment and subsequent liberation of convicts without a magistrate's warrant,) which had been in use under his predecessors, to be discontinued. The testimony of Richard Atkins, Esq., Judge Advocate of the colony, both on this particular and in regard to Governor Bligh's general character as a lover of impartial justice, was most remarkable. That individual was one of Colonel Johnston's principal witnesses: he had been reinstated by that officer some time after Governor Bligh's arrest, having been previously shown a private letter of the Governor to the Secretary of State, recommending his dismissal from the office of Judge Advocate. That letter, which had been seized along with all the other private and confidential papers of that unfortunate officer, contained the following character of Mr. Atkins; Governor Bligh having been desired by the Secretary of State to inform him privately of the characters of individuals holding office in the colony:—

“ He has been accustomed to inebriety; he has been the ridicule of the community; sentence of death has been pronounced in moments of intoxication; his determination is weak; his opinion floating and infirm; his knowledge of the law is insignificant, and subject to private inclination; and confidential causes of the Crown, where due secrecy is required, he is not to be trusted with.”

But notwithstanding his knowledge of this most unfavourable testimony, which had been given of himself by Governor Bligh, and urged by that officer as a

ground for his dismissal from office, it is nevertheless the fact, and it is much to the credit of Mr. Atkins, that when asked by the Court on Colonel Johnston's trial, "if Governor Bligh," whom he had every opportunity of knowing thoroughly, "conducted himself during his government as an honourable, upright, and honest man;" he replied, "as an honourable, honest man, Sir; upon my word, I believe he did: taking from the first day that Governor Bligh assumed the government to the last day when it concluded, I have no reason to think otherwise."

It was even attempted to be proved against Governor Bligh, as an evidence of his utter unfitness for the situation to which His Majesty had appointed him, that he had allowed the public buildings to fall into a state of dilapidation. It was admitted, however, that he had completed the church in Sydney, which had only been commenced by his predecessor; and that he had also done what was requisite to improve the appearance of the other public buildings previously erected. It must be borne in mind, however, that Governor Bligh had only been allowed to retain the government of the colony for seventeen months; and that whereas he had found the colony at the commencement of that period in a state of misery and starvation, he had brought it, through his judicious measures, and the blessing of Divine Providence, into a state of plenty and prosperity. It would have tended much more to the general advancement of the colony, if his successor, Major-General Macquarie, had been less ambitious than he actually was in the article of public



buildings, and equally solicitous about the moral welfare of the people.

That Governor Bligh was a passionate man, extremely irascible in his disposition, and disposed occasionally to give utterance to his angry feelings in language unbecoming an officer and a gentleman, I willingly admit; but that he had any other end in view than the administration of impartial justice, and the general welfare of the colony he was deputed to govern, I can find no ground whatever for believing. On the contrary, "his very failings lean'd to virtue's side." He found individuals in the colony who had received *extraordinary* indulgences from the home Government; and it was evidently his desire that all deserving persons, of the class of free settlers, should in future share alike.

But Colonel Johnston and his supporters, and especially Mr. William Wentworth, the barrister, whose father, Mr. D'Arcy Wentworth, he had suspended from office, say he was a coward; and Colonel Johnston and Mr. Wentworth are both honourable men. I shall leave Governor Bligh to reply to this charge in person:—

"My situation is embarrassed," observes the old Admiral, in his reply to Colonel Johnston's defence, "by Col. Johnston having made a personal and invidious contrast between himself and me. He has said, 'That to him the situation of prosecutor or defendant is new and painful; but that such have been the misfortunes attending my service, that a series of prosecutions by and against me, and always referring to my personal conduct, have marked my career; mutiny and insubordination are the charges I have repeatedly preferred; tyranny and oppression are the offences for which I have been tried, and on full proof reprimanded.' He adds, that it is painful to speak in terms of censure of a British officer; but what pain will it give him to learn that the statement is

false, and the censure misapplied? I never before preferred a charge of mutiny, nor have I ever been in any way involved in one, except in the case of the *Bounty*, and the mutiny at the *Nore*. As to the first, on my return I was instantly promoted from the rank of lieutenant, and within a month after was made a post-captain: the mutineers were tried in my absence; and it fully appeared that no severity on my part gave occasion to the offence. As to the mutiny at the *Nore*, I little thought any officer would have looked back to such an event, and least of all for the purpose of calumniating a captain in the navy. Twice only have I been defendant at a court-martial; once for the loss of the *Bounty*, when I was honourably acquitted; and on another occasion, when I was only desired to be more guarded in my language. Three times I have been a prosecutor, and in one instance the charge arose out of the very mutiny which is now before the Court: but in a case of mutiny I never before was prosecutor—and of tyranny and oppression I was never found guilty. I am the more anxious about this, because this is not the only instance in which a needless attack has been made on my reputation. A hopeless defence was protracted for the purpose of putting on the minutes an imputation of cowardice, equally false with respect to myself, and useless to Col. Johnston; to explain which, I must trespass a moment on the time of the Court.

“Just before I was arrested, on learning the approach of the regiment, I called for my uniform, which is not a dress adapted to concealment; and going into the room where the papers were kept, I selected a few which I thought most important, either to retain for the protection of my character, or to prevent from falling into the hands of the insurgents:—among the latter were copies of my private and confidential communications to the Secretary of State, on the conduct of several persons then in the colony: with these I retired up stairs, and, having concealed some about my person, I proceeded to tear the remainder. In the attitude of stooping for this purpose, with my papers about on the floor, I was discovered by the soldiers on the other side of the bed. As to the situation in which it is said I was found, I can prove by two witnesses that it was utterly impossible; and I *should* have done so in the first instance, had I not thought that Col. Johnston was incapable of degrading his defence by the admission of a slander, which, if true, affords him no excuse; and, if false, is highly disgraceful. I know that Mr. Macarthur wrote the despatch in which this circumstance is mentioned with vulgar triumph; but I could not anticipate that Col. Johnston’s address to the Court would be written in the same spirit; and that after being the victim of Mr. Macarthur’s intrigues, he would allow

himself to be made the tool of his revenge. It has been said that this circumstance would make the heroes of the British navy blush with shame and burn with indignation : I certainly at such a suggestion burn with indignation ; but who ought to blush with shame, I leave others to determine.

“ The Court will forgive me if I intrude a moment on their time, to mention the services in which I have been employed. For twenty-one years I have been a post-captain, and have been engaged in services of danger, not falling within the ordinary duties of my profession :—for four years with Capt. Cook in the *Resolution*, and four years more as a commander myself, I traversed unknown seas, braving difficulties more terrible because less frequently encountered. In subordinate situations I fought under Admiral Parker at the Dogger Bank, and Lord Howe at Gibraltar. In the battle of Camperdown, the Director, under my command, first silenced and then boarded the ship of Admiral de Winter ; and after the battle of Copenhagen, where I commanded the *Glatton*, I was sent for by Lord Nelson to receive his thanks publicly on the quarter-deck. Was it for me then to sully my reputation and to disgrace the medal I wear by shrinking from death, which I had braved in every shape ?—An honourable mind will look for some other motive for my retirement, and will find it in my anxiety for those papers, which during this inquiry have been occasionally produced, to the confusion of those witnesses who thought they no longer existed. \* \* \*

“ I left the command of a seventy-four gun ship in the Channel to take the government of the colony. In all my general orders or public regulations, not one appears founded on private interest, or even friendly partiality. The barter of spirits, a source of emolument to other Governors, I prohibited ; the confined distribution, an advantage to myself in common with all the officers, I extended ; the former practice of irregular committal to prison I abolished ; the limits of arbitrary punishment I contracted. I consulted the general good of the colony, instead of allowing myself to be guided by the selfish policy of a few individuals ; and I determined that all ranks alike should be respectful and obedient to the law. But these were the offences which rendered me unfit to govern.”

It is well known that the proceedings of courts-martial are never published till the sentence has either been pronounced or ratified by the Commander-in-chief. On the occasion, however, of the trial of Colonel Johnston,

a surreptitious and false document, purporting to be a copy of the sentence, and containing various severe reflections on Governor Bligh, which formed no part of the real judgment of the Court, was drawn up by some party interested in the issue of the trial, and published in a newspaper of the period, called "The British Express," from which it was immediately copied verbatim into most of the other periodicals of the kingdom. A copy of the Express, containing the document I allude to, was folded up, wet from the printing-office, and forwarded in an envelope to Admiral Bligh; and in the inside of the envelope there was sketched the figure of a pistol, intimating, doubtless, that the old Admiral had now nothing farther to do than to use that instrument effectually, and be off! In taking leave of the subject, on which I flatter myself the reader will not suppose I have dwelt too long, when he recollects that the preceding details involve the vindication of the character of a deeply injured and most unfortunate, but really meritorious British officer, I cannot help remarking, that although Governor Bligh by no means merited unqualified commendation for his government of New South Wales, his adversaries were evidently conscious that their own cause was utterly indefensible when they deemed it required such diabolical support.

As the reader will doubtless feel somewhat interested in the subsequent history of Colonel Johnston, whose criminality in the whole course of this untoward affair was rather the result of misfortune than of misconduct, I shall only add, that he returned to New South Wales shortly after his trial, and spent the remainder of his



days in the colony, where he died universally regretted during the government of Major-General Macquarie. Colonel Johnston was of a highly respectable family in Annandale in Scotland; and having obtained a commission in the army at the early age of twelve years, he commenced his military career in America; and had served both in India and on the coast of Africa, before embarking for New South Wales on the first establishment of the colony.

## CHAPTER V.

ACCOUNT OF THE STATE AND PROGRESS OF THE  
COLONY DURING THE GOVERNMENT OF MAJOR-  
GENERAL MACQUARIE.

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Who would not live a year or two in Sydney,  
To get acquaint with all its nonpareils ;  
To dine with people of a certain kidney,  
And bask all in the sunshine of their smiles ?  
They don't live quiet as they ought, and hid. Nay ;  
Proud of expulsion from the British Isles,  
Some glory in their shame ! Very strange tales  
Are told of gentlemen of New South Wales !

DIARY OF AN OFFICER IN THE EAST.

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LACHLAN MACQUARIE, Esq., the fifth Governor of New South Wales, was lieutenant-colonel of the 73rd regiment, on his arrival in the colony ; but before the close of his government he had attained the rank of a major-general in the army. He assumed the government of the colony on the 28th of December, 1809, and retained it for the long period of twelve years, or till the first of December, 1821.

The era of Governor Macquarie is not unfrequently referred to as the commencement of the prosperity and

the rising greatness of the British colony of New South Wales. He is styled the father of the colony ; and one of the favourite modes of exciting the popular feeling against the late colonial administration was to contrast it with that of Governor Macquarie. I was induced, for a time, to receive these representations myself without hesitation and without suspicion ; but a closer examination has induced me to qualify them with a few grains of salt.

Governor Macquarie entered on the government of New South Wales under the most favourable auspices. The New South Wales Corps, which had long controlled the government and repressed the energies of the colony, being at length ordered home to England, there was no organized body in the country to counteract his measures ; and he had the 73rd regiment of the line, which had no previous connexion with its inhabitants, to support them. With a comparatively unlimited command of British money and convict labour, he had the experience of upwards of twenty years to guide him in regard to the best mode of expending the one, and of employing the other, for the benefit of the settlement ; and as the grand experiment for which the colony had been originally established had now been under trial for a long series of years, it required only common discernment to ascertain, and common sense to pursue, what was best calculated to promote the welfare of the free, and to hasten the reformation of the convict population. In short, Governor Macquarie had the remodelling of the whole political and moral frame-work of the colony most completely in his power ; and the

position he thus occupied for a long series of years was consequently, in a moral and political light, much more commanding, much more influential, and much more important to the colony in all future time, than that of any of his successors.

Governor Macquarie commenced his administration by issuing two proclamations, agreeably to the instructions with which he had been charged by His Majesty's Ministers : the first was declaratory of the King's displeasure at the late mutinous proceedings in the colony ; the second rendered null and void all the acts of the interim government ; leaving the Governor, however, a discretionary power to act, both in regard to the past and the future, agreeably to the dictates of his own judgment. In the exercise of this power, he ratified most of the acts of the provisional government, honoured its bills on the Treasury, and confirmed for the most part its grants of land.

The general advancement of the colony during the government of Major-General Macquarie was evident and undeniable, and was doubtless owing in no small degree to his vigorous administration.\*

One of the first duties of a Governor in a new colony is to open practicable lines of communication between its different settlements, and to render its available territory easily accessible ; and there is no colony in the empire so happily circumstanced in this respect, or in which the Governor can discharge this part of his duty with so much efficiency, as New South Wales.

\* See extracts from Governor Macquarie's Report to Earl Bathurst, in the Appendix, No. 8.



The unlimited command of convict labour for this purpose is an advantage of inestimable value to that colony ; while, on the other hand, the formation of roads and bridges is unquestionably the most appropriate employment in which persons of that description can possibly be engaged : for as it is the intention of the law that the convict should be punished, it is doubtless the business of the Colonial Executive not only to carry that intention into effect, but to render the punishment at the same time as beneficial as possible to the colony ; and, in my opinion, it would be difficult to point out any method of employing the convict labour of the colony, in which these two important objects could, under a proper system of management, be more fully or more unexceptionably attained.

Governor Macquarie's exertions in this respect were above all praise. There had been a sort of road previous to his arrival between Sydney and Parramatta, which had been continued to Windsor and Richmond, to afford the numerous settlers on the Hawkesbury an easy access to the capital. This line of road, extending about forty-five miles, Governor Macquarie greatly improved. He also constructed a good road to Liverpool, a settlement about twenty miles from Sydney, which he had formed on the banks of George's river, a navigable stream of minor consequence, which empties itself into Botany Bay ; and he subsequently continued it in three different directions to the westward and south-westward, viz. to the Cow-pastures, the district of Bringelly, and the agricultural settlements of Campbelltown, Airds, and Appin.

The Cow-pastures is an extensive agricultural and grazing district, situated about forty miles to the south-westward of Sydney, and watered by a river called the Cow-pasture River; which, after its junction with the Warragumby, a stream issuing from the Blue Mountains, forms the Nepean. It was discovered during the government of Captain Hunter, in the year 1796, and derived its name from a herd of wild cattle which were found ranging over its untraversed wilds when it was first discovered by civilized man. These cattle, it was afterwards ascertained, were the offspring of two bulls and three cows, of the Cape of Good Hope buffalo breed, which had been landed in the colony by Governor Phillip, but had strayed into the woods during the first week after the formation of the settlement, and could never afterwards be recovered.

But the greatest achievement effected by Governor Macquarie in the way of road-making, was the road across the Blue Mountains to Bathurst, a flourishing settlement about one hundred and thirty miles to the westward of Sydney. In the year 1813, three gentlemen, whose names deserve to be honourably mentioned, viz. Mr. Wentworth the barrister, and Messrs. Lawson and Blaxland, two respectable settlers of old standing in the colony, determined, during a severe drought which had burnt up the herbage in the eastern part of the territory, and caused a severe mortality among the cattle, to cross the Blue Mountains, the seemingly impassable adamant wall of the colony, in search of a pastoral country to the westward. The attempt had repeatedly been made before, but always without suc-

cess. Mr. Caley, a botanist, had penetrated to the greatest distance reached by any previous adventurer among the mountain ranges; but had been obliged at last to give up the attempt to cross the mountains, after erecting a heap of stones at a spot which has since been called Caley's Repulse, and which he considered the *ne plus ultra* of Australian discovery to the westward. The place was pointed out to me by a respectable settler of the Bathurst district on crossing the mountains for the first time in the year 1826, on Governor Macquarie's road. It is certainly a most remarkable locality; nothing being visible in any direction but immense masses of weather-beaten sandstone rock towering over each other in all the sublimity of desolation; while a deep chasm, intersecting a lofty ridge covered with blasted trees, seems to present an insurmountable barrier to all farther progress. This barrier, however, was happily surmounted, though with incredible difficulty, and the loss of several of their beasts of burden, by the gentlemen I have mentioned; who succeeded at length in reaching a most extensive tract of open pastoral country to the westward, to which thousands of the famished sheep and cattle of the colony were immediately driven across the mountains from the eastern section of the territory.

As it was of great importance to the colony, in the circumstances in which it was then placed, to render the vast extent of available country which had thus been laid open easily accessible, Governor Macquarie immediately placed the whole of the disposable convict labour of the colony on the mountain-tract, which the resolute dis-

coverers had successfully pursued, and in a period of time incredibly short succeeded, chiefly by dint of promises and rewards, in forming a good road to Bathurst, of which at least fifty miles traverse an extent of country the most rugged, mountainous, and sterile imaginable. Indeed, there was a vigour about Governor Macquarie's administration, of which even at this distance of time it is quite refreshing to contemplate the effects; and which, under the guidance of a better-regulated judgment, would have led to the happiest results. The whole extent of road constructed during Governor Macquarie's administration was two hundred and seventy-six miles; and along this whole extent substantial wooden bridges were constructed wherever they were required.

The number of public buildings of every description erected by Governor Macquarie, not only in Sydney and Parramatta, but in all the other settlements of the colony, as well as in the principal settlements of Van Dieman's Land, which was then a dependency of New South Wales, would almost exceed belief. The list occupies ten closely printed folio pages of a Parliamentary Report, and includes not fewer than two hundred and fifty particulars. In short, if brick and mortar could have ensured immortality, Governor Macquarie erected public buildings enough in New South Wales to render his colonial fame imperishable.

I am not prepared, however, to regard this part of Governor Macquarie's procedure with unqualified approbation. "It has been his misfortune," observes Mr. Commissioner Bigge, in his report to the House of



Commons on the state of the colony of New South Wales during Governor Macquarie's administration, "to mistake the improvement and embellishment of the towns for proofs of the solid prosperity of the colonists, and to forget that the labour by which these objects have been procured, was a source of heavy expense to the British treasury, and that other means of employment might have been tried and resorted to; the effect of which would have been to regulate in a cheaper and less ostentatious form, the progress of colonization and of punishment."

Indeed, Governor Macquarie appears to have been remarkably distinguished for what the phrenologists would denominate "a remarkably full development of the organ of constructiveness, together with a somewhat sizeable organ of vanity." Now, in so far as the former of these propensities led His Excellency to lay down an entirely new plan for the town of Sydney, (which, previous to his arrival, was a mere assemblage of paltry erections holding a sort of intermediate place between a hut and a house, and disposed in every possible form of irregularity and confusion,) and to inspire its inhabitants with a laudable regard for external appearances, it was evidently highly beneficial to the colony; for in these respects the town of Sydney undoubtedly owes every thing to Governor Macquarie. But, in so far as these propensities led His Excellency to erect numerous public buildings, of very questionable utility, or rather of no utility whatever in the actual circumstances of the colony, for the purpose apparently of transmitting his own Celtic name to succeeding generations, and

thereby to keep whole hordes of convict mechanics and labourers congregated in the towns of the colony, instead of dispersing them as widely as possible, and employing them in the clearing of land and the formation of agricultural settlements all over the territory ;— they occasioned a most extravagant and wasteful expenditure of British money, and proved a fruitful source of colonial demoralization.

There is doubtless some allowance to be made for Governor Macquarie's peculiar situation, in being left by the British Government to find employment as he could for the constantly increasing convict population of the colony, for whose labour there was necessarily but a very inadequate demand on the part of the free emigrant inhabitants of the territory. Referring to the circumstances of the colony and the method of distributing the convicts, who were then comparatively few in number, at the commencement of his own administration, Governor Macquarie observes, in his letter to Earl Bathurst, as follows ; viz. :—

“ On their arrival they were distributed amongst such settlers as required them, without favour or partiality ; the government only retaining such useful mechanics and proportion of labourers as were required for carrying on the public works : but the influx of male convicts for the last five years has been so great, and so very far exceeding that of former years, that the settlers had not employment for above one-eighth of the number that annually arrived in the colony ; the remaining seven-eighths being left to be maintained and employed by government. Hence it became necessary to employ this *large surplus* of men in some useful manner, so that their labour might in some degree cover the expense of their feeding and clothing.”

As there was thus comparatively little demand for

convict labour for agricultural purposes on the part of private individuals, or for opening new settlements for the location of additional free settlers, from the almost total cessation of emigration to the territory, Governor Macquarie was tempted to employ a large number of the convicts in the erection of public buildings, of very little utility to the colony generally, in the chief towns of the territory.

To a person of genuine philanthropy it cannot fail to be a subject of regret, that the whole of the money which was thus unnecessarily and extravagantly expended, should have been extracted from the pockets of a people already overburdened with the triple load of taxes, and tithes, and poor-rates; but it is aggravating in the highest degree to reflect, that through the mistaken policy, I might almost call it the absolute infatuation, of Major-General Macquarie, in this particular, a very large proportion of that expenditure, which was so willingly borne by the representatives of a right-generous and noble nation, under the idea of its being all carefully and judiciously applied in promoting the moral and general welfare of their own miserable outcasts, should have been actually incurred in carrying on a process of demoralization in the convict colony of New South Wales, and in preventing the attainment of the chief end for which that colony was originally established—the reformation of its convict population.

That a process of this kind was actually going on during the government of Major-General Macquarie, even while he was persuading himself that he was doing his best for the general welfare of the colony, no

person who gives the least attention to the subject can doubt for a moment. Had buildings only of absolute necessity for the public service been erected at headquarters, and had these buildings been of such moderate cost as befitted the circumstances of a penal settlement, the numerous emancipated convicts, who obtained small grants of land on the expiration of their sentences of transportation, would have been obliged to settle on these grants, to obtain a livelihood, and would thus in all likelihood have become industrious, temperate, and frugal. But the lavish expenditure of British money in the erection of public buildings in the colonial capital and in the other towns of the colony, formed an irresistible attraction to the great majority of this class of persons; and they accordingly sold their land forthwith, and settled in Sydney and the other colonial towns—some as labourers or mechanics, others as petty constables; some as dealers in general, others as dealers in rum. In short, there was plenty of employment, plenty of money, and plenty of rum, to be had in Sydney in the good old times of Governor Macquarie; and who that liked the last of these articles, would in such circumstances think of going elsewhere in search of the other two?

There are political economists of some note in the mother country who are perpetually recommending to Government the concentration of the population of the colonies; but a short residence in New South Wales would be sufficient to convince such persons of the utter inapplicability of their principle to the circumstances of a penal settlement. In fact, the concentration of an emancipated convict population, as Governor Mac-



quarie's experiment sufficiently proves, will infallibly be a concentration of vice and villany, profligacy and misery, dissipation and ruin. In such circumstances, *Divide et impera*, (Separate and command,) is as good a maxim in the moral, as it is generally in the political code.

The demoralizing influence indirectly resulting from the gratification of Governor Macquarie's taste for public buildings, cannot be more fitly illustrated than in the plan he pursued for the erection of a general hospital in Sydney. Had the convicts been dispersed over the territory in the way I have suggested, an hospital of comparatively small dimensions would have been sufficient at head-quarters: at all events, a plain, substantial edifice was all that was wanted for such a purpose, till the expense of erecting ornamental buildings could be borne by the revenue of the colony. The colonial architect, however, having submitted to Governor Macquarie a plan of a spacious and costly edifice, consisting of a centre building and two detached wings, to be erected of cut stone, with a double verandah or covered portico completely surrounding each of the three piles of building, he determined that it should by all means be carried into effect. With this view, as there were comparatively few artificers among the convicts at the time when this measure was resolved on, he made an agreement, on the part of the colonial government, with Messrs. D'Arcy Wentworth, Blaxcell, and Riley, by which these gentlemen stipulated to erect a building agreeably to the plan proposed, on condition of receiving a certain quantity of rum from the

King's store, and of having the sole right to purchase, or to land free of duty, all the ardent spirits that should be imported into the colony for a term of years. The *Rum Hospital*, as it was called at the time, was accordingly erected on these conditions ; and, standing, as it does, on the summit of one of the two ridges on which the town of Sydney is built, with a valley terminating in the beautiful inlet called Sydney Cove between, it is doubtless a highly interesting and striking feature in the general aspect of one of the most thriving and best situated commercial towns in the world.

I leave to the mere financier the task of reprobating the arrangement I have just mentioned, (which, it was universally believed at the time, was a highly gainful one to the parties concerned,) on the ground of its gross injustice to the community at large, as well as to those persons in particular who imported ardent spirits into the colony, and who were consequently obliged either to sell their commodity at whatever price the monopolists chose to offer them, or to keep it in bond for three or four years.\* My sole concern with the

\* In the year 1824, the *Rum Hospital* was calculated to be worth £20,000. I am confident as good a building could now be erected for £10,000. The quantity of Bengal rum which the contractors received from Government was 60,000 gallons, which at the time was worth the whole estimated cost of the building. The monopoly was for three years; it was afterwards extended to three and a half, or four; and, as the contractors could purchase spirits at three shillings and retail them at forty, it was supposed to be worth at least £100,000. In short, the monopoly was a sort of *regium donum*, or royal gift, over and above the fair market-price of the article bargained for.

The particulars contained in this note I have derived from a notandum

transaction is to calculate its true bearings on the professed object of General Macquarie's administration—the reformation of the convict population of New South Wales: and this is by no means a work of difficulty. The wages of the artificers and labourers, and the prices of the materials employed in the erection of the hospital, were, agreeably to the usual practice of the colony at the time, paid half in money and half in *property*, i. e., in tea, sugar, ardent spirits, wine, clothing, or any other article, either of necessity or of luxury, which the employer happened to have in his store, and which was uniformly charged to the labourer at an enormous per-centage above its real value, or even above its market-price in the colony. Determined, however, that not a single shilling of the money-half of the wages should, if it could possibly be prevented, ultimately find its way into any other pockets than their own, the worthy contractors erected one or more public-houses in the immediate vicinity of the place, where their numerous convict and emancipated convict mechanics and labourers received that moiety of their wages; doubtless, to induce the miserable wretches, whose inability to withstand such temptation may well be conceived, to expend the last farthing of their earnings in the purchase of their exorbitantly priced and accursed liquor. In providing, therefore, for the

I happened to make in the year 1824; but from what sources the information was obtained—whether from documents or from persons acquainted with the circumstances of the transaction—I cannot at this moment recollect. If the statement should be erroneous in any particular, I shall be happy to stand corrected.

physical health of the colony, Governor Macquarie was actually overspreading the whole surface of its body politic, in a moral and spiritual sense, *with wounds, and bruises, and putrefying sores*, which have hitherto surpassed the skill of the ablest surgeon *to bind up*, or the efficacy of the most powerful *ointment to mollify*.

The lavish expenditure of British money in the erection of numerous public buildings of minor utility, and the extraordinary facility which was thus afforded to the emancipated convict population for indulging in every species of unhallowed dissipation, tended even to neutralize the most judicious measures which Governor Macquarie had himself adopted for their progressive reformation. A measure, for instance, of vast importance to the colony, which Governor Macquarie pursued with much greater zeal than success, was the formation of an agricultural population from the class of emancipated convicts. Adhering to the principle on which Governor Phillip had been empowered to act by the British Government, Governor Macquarie gave grants of thirty acres of land each to persons of this class on attaining their freedom. But there was this important difference between the system pursued by Governor Phillip and that of Governor Macquarie: Governor Phillip gave such grants of land only to individuals of good character, who, he had reason to believe, would settle upon the land, and make a good use of it; Governor Macquarie, on the contrary, appears to have given them indiscriminately to all: and whereas it was certainly by no means the intention of the British



Government that such grants of land should in any case be given to emancipated convicts for the purpose of being sold, it is nevertheless a notorious fact, that by far the greater number of Governor Macquarie's grants of this kind were never taken possession of by the grantees, but were sold immediately, and generally for rum.

I had once occasion to inspect a chart in the Surveyor-General's office, to ascertain something relative to a grant of land belonging to a reputable Scotchman, who had unfortunately fallen into pecuniary difficulties in the colony. On glancing at the chart, I observed that the land was bounded in one direction by a whole colony of *small settlers*, or proprietors of farms of thirty or forty acres each; but in afterwards adverting to the circumstance in conversation with the landholder, and asking him what sort of a neighbourhood he had got, I was somewhat surprised to find that he had no neighbours at all in that direction, and that what seemed on the Surveyor-General's chart a number of small farms, was merely a portion of the large and undivided estate of a colonial proprietor, who had been a merchant in Sydney during the government of Major-General Macquarie, and who had purchased in the way of his business, and in all probability for ardent spirits, a number of the Governor's *orders* for small grants of land, which, it seems, he had kept in abeyance till their united acres amounted to an extent which it was worth while for him to select in that particular locality.

"It appears to me," says Mr. Commissioner Bigge, in his Report to the House of Commons, already re-

ferred to, "that the system that has hitherto been pursued, of granting thirty acres of land to emancipated convicts without reference to their means of cultivation, is not attended with the beneficial results that were expected from it. They have, in many instances, been disposed of to obtain relief from pressing necessities, occasioned either by unfavourable seasons, bad soil, or the effects of dissipation or indulgence; and Governor Macquarie felt assured that many of the applicants that appeared before him, on the occasion to which I have just now alluded, had alienated by private and previous sales all right to the land for which they were applying.

"A rule had been promulgated by him, at an early period, and it forms a condition of every grant, that it shall not be disposed of or alienated within five years. This rule, however, has been violated by persons of every class in the colony."

All this malversation, which was not less ruinous to the individuals themselves than injurious to the community, might have been entirely obviated by a very simple arrangement. Had the Governor, for instance, merely made it a rule not to issue deeds or to give permanent possession of grants of land of this kind, until the grantees had, in each particular instance, resided upon the land for a certain period and effected certain specific improvements, an attachment to the spot would in all likelihood have been generated by residence and hard labour, ere the condition of proprietorship could have been fulfilled; and the disposition to sell would in all probability have been annihilated before the power to sell had been obtained. It was quite preposterous to

imagine that the *pickpocket* would become a *farmer*, to use Governor King's expression, by merely giving him an order for thirty acres of forest land, which he could instantly exchange for ten or fifteen gallons of rum in the town of Sydney, and be no poorer than he was before. As well might we expect the leopard to change his spots or the Ethiopian his skin, as expect that under such a system those who have been accustomed to do evil should learn to do well.

During the long course of his administration, however, Governor Macquarie did succeed in settling many families of emancipated convicts on small farms in various parts of the territory ; as for instance, along the banks of the Hawkesbury and Nepean rivers, and at the agricultural settlements of Campbelltown and Appin ; and had subsequent events not reduced many of these families to debts and difficulties, and obliged them at last to sell their farms, the result would doubtless have been exceedingly pleasing to the eye of philanthropy.

Governor Macquarie's situation as the Governor of a British colony was doubtless very peculiar. On his arrival in New South Wales, he found that but only a small portion of the ten thousand inhabitants of the territory consisted of free emigrants ; and from the large annual influx of convicts, and the almost total cessation of free emigration during the whole period of his government, the proportion of that class of the general population of the colony was continually decreasing. In such circumstances it was almost to be expected that Governor Macquarie should entirely misapprehend the great end which the founders of the colony originally

had in view, or rather the means by which that end was to be accomplished ;—that instead of endeavouring on the one hand to work out the reformation of the convicts by means of a numerous and industrious free emigrant population, and to induce the British Government on the other, as his predecessor, Captain Phillip, had done, to hold out the requisite encouragement for the settlement of such emigrants throughout the territory, he should come to consider the free emigrant population of the colony as a mere excrescence on its body politic, or rather as a positive incumbrance and dead-weight on the community—constituting no part of the Government scheme in regard to the reformation of the convicts, and likely to prove a source of annoyance and counteraction to the colonial authorities. We find, accordingly, that although these may not have been the maxims which Governor Macquarie avowed, they were those, at least, that regulated his procedure.

It is allowed on all hands, that Governor Macquarie neither countenanced nor encouraged the class of free emigrant settlers throughout the colony, and that his procedure in this respect operated in so far as a complete check to emigration. He had been expressly enjoined in his letter of instructions from His Majesty's Ministers, to pay particular attention to those free settlers who had exerted themselves in favour of Governor Bligh ; but he entirely neglected them. In short, His Excellency's maxim was, " New South Wales is a country for the reformation of convicts ; free people have no right to come to it." He had doubtless



been strongly prejudiced against the class generally by the officers of the New South Wales Corps, to whom the free settlers were of course politically obnoxious, in consequence of their adhering to the deposed Governor.

Besides, it is reported on good authority, that immediately after his arrival in the colony, Governor Macquarie was advised by Lieutenant-Colonel (now General) Foveaux, who then commanded the New South Wales Corps, to bring forward, as much as possible, the emancipated convicts, or, as they are technically styled in the colony, the emancipists. This advice appears to have been followed with all the promptness and decision of his energetic character; for on the 12th of January, 1810, that is, *before he had been a month in the colony*, he appointed Andrew Thomson, a Scotchman of this class, to the office of the magistracy—an appointment, for which there had been no precedent in the previous history of the colony, and which can scarcely be justified on the plea of necessity. Governor Macquarie had, it seems, given some personal offence to Colonel Foveaux, and this apparently benevolent advice was the method which that officer employed of repaying the compliment; for, in reference to that advice, Colonel Foveaux is reported to have observed to his secretary, Lieutenant Finucane, “that he had now placed a blister on Governor Macquarie which he would never be able to remove.”

As the case of Andrew Thomson affords an illustration of the general policy pursued by Governor Macquarie in regard to the emancipists generally, it may

not be out of place to insert the following character and history of that individual from Mr. Bigge's Report to the House of Commons :—

“ From the account of the executor of A. Thomson, it appears that he was a native of Scotland, and that his relations there were itinerant traders in goods. He was transported to New South Wales at the age of sixteen, and on his first arrival in the colony served as a labourer in the stone-masons' gang at Parramatta. On the expiration of his sentence, he went to Windsor to reside as a settler, and he there engaged in business as a retail shop-keeper, and built some small vessels, in which he traded to Sydney: he also became superintendent of some of the convict labourers in the employ of government at Windsor. In all these occupations he was successful; his trade extended; he became possessed of farms; and made an establishment for the manufacture of salt, on a small island at the mouth of the river Hawkesbury, where he also continued to build small vessels; and it was here, and on the banks of the river, that, according to the accounts of several persons whom I found at Windsor, Andrew Thomson carried on the illicit distillation of spirits.

“ To his other employments, he added those of constable and public-house keeper, and through liberal credit and forbearance he acquired a great deal of influence amongst the class of smaller settlers in the neighbouring districts of the Hawkesbury. To a considerable share of natural shrewdness he added great activity of mind and body; and though quite uneducated when he arrived in the colony, he succeeded afterwards in acquiring the ordinary knowledge of a retail shop-keeper.

“ His conduct in these several capacities is considered to have been correct; but the habits of his domestic life were immoral.

“ I have been induced to make these observations upon the character and conduct of A. Thomson, not from any wish to detract from his merit as an individual, but because it is stated by Governor Macquarie, in the epitaph before alluded to, that ‘it was in consequence of his character and conduct that he appointed him to be a magistrate of the colony, and that by the same act he restored him to that rank in society which he had lost.’ These circumstances are also of still farther importance, as the appointment of A. Thomson to the magistracy was one of those acts of Governor Macquarie that has been urged most strongly against him by his enemies, and has been most questioned by his friends. \* \* \*

“ Andrew Thomson was thenceforth admitted to the table of Governor Macquarie, and to that of the officers of the 73rd regiment, by a change of regulation, but not of feeling in the military body, that was no less remarkable than the change that had taken place in the sentiments of the civil chief.”

Governor Macquarie was certainly of an arbitrary disposition ; and his prejudices, in regard to the two classes of the free population of the colony, may perhaps have been a little embittered by the personal opposition he sometimes experienced, in regard to his favourite measures, from some of the free emigrant settlers. It is related, at least, that a reputable individual of this class having transmitted representations against his measures to the Secretary of State, Governor Macquarie, doubtless under the influence of strong irritation, observed in reply, “ that there were only two classes of individuals in New South Wales—those who had been convicted, and those who ought to have been so.” If His Excellency really made so gratuitous and so illiberal a remark, the circumstance sufficiently accounts for the seemingly anomalous fact, that he sometimes selected his friends and favourites from the class of those “ who ought to have been convicted :”—whether they had ever been so in reality or not, I conceive it is of little consequence to inquire.

In short, Governor Macquarie appears to have been very sceptical in regard to the existence of virtue in any class of persons in the colony ; and another of the maxims, therefore, on which he seems to have acted was, that “ prosperous vice ought to be encouraged and rewarded.” The emancipated convict publican, who

had been successful in selling rum by the gill, generally ended the matter by converting his *tap* into a *store*, and selling it by the puncheon. At his outset in the colonial world, he was in the habit of supplying the small settlers of his own class in society with ardent spirits in small quantities, in exchange for proportionably small quantities of grain ; but having now written himself a merchant, he was in a fit condition to take a mortgage on the settler's farm in lieu of his annual supply of tea, sugar, slop-clothing, and rum, all of which were *booked* to him at a hundred per cent at least above the real value of the articles ; and by watching his opportunity, he was able at last to pounce upon the farm itself, like a vulture on its prey, and to hold the settler in future as a tenant-at-will on the land which he had cleared and cultivated with the sweat of his brow, and for which he had probably not received goods in all more than equivalent in real value to a single year's rent of the farm.\* When wealth had in the process of time been acquired by such processes as this, Governor Macquarie considered

\* “ Pressed by their necessities, as well as by their love of excessive indulgence, and unable, from the want of proper buildings, to secure their produce when gathered, these thoughtless persons hasten to Sydney at the first opening of the King's store ; and if unable to obtain immediate admission for their grain, or baffled in their expectations by the confusion and want of regulation that prevails there, they sell it to the publicans, who are the only persons in the colony that possess the means of storing grain. They then buy dearly a few articles of the first necessity, which, with a supply of spirituous liquors, are soon consumed, and leave them in poverty and wretchedness, until the return of the next harvest brings with it a diminished return of produce, but affords a repetition of the same improvident indulgence.”—*Report of the Commissioner of Inquiry on New South Wales.*



the individual in a fit condition to be restored to the place in society which he had lost, *not so much by his criminality as by his transportation*; and consequently, after a course of life tenfold more criminal perhaps in the eye of God than the one that had issued in his sentence of banishment, and a hundred-fold more injurious to society,—the wealthy emancipist could cherish the hope of being received at Government House, and presented as a fit associate for reputable men.

In short, it was not the retiring emancipated convict in the lower walks of life that Governor Macquarie especially delighted to encourage, by endeavouring to rescue him, as his predecessor Governor Bligh was in reality deposed for doing, from the iron gripe of his oppressor: it was that prominence in society which wealth uniformly gives its possessor in New South Wales, as well as in every other country, that attracted the notice of the Governor. The circumstance of being notorious for the violation of every principle of honour and integrity was no obstacle to the attainment of His Excellency's favour. The circumstance of being notorious for a life of open and outrageous profligacy, was no impediment to employment or promotion under the government of Major-General Macquarie.

It will not appear strange, however, that Governor Macquarie's measures should have rendered him extremely popular among certain classes in the colony, and caused this egregious mis-statement to be propagated and believed respecting him, viz. *that he was the real friend and patron of the emancipists*. For my own part, I conceive there is abundant reason to believe

that he was in reality the worst enemy of that class as a body that ever trod Australian ground. He patronized and befriended a few of their number, it is true; but that patronage was undoubtedly the ruin of the many. Had he followed up the truly wise and benevolent plans of his unfortunate predecessor, during the long course of his government, he would infallibly have transformed the great majority of the emancipists into an industrious and comparatively virtuous peasantry, with whose descendants the free emigrants and their offspring would in time have become gradually and undistinguishably blended; and he would thus have caused the moral wilderness to blossom as the rose: but the course he actually pursued has in great measure converted the colony, in so far as that numerous class of its population is concerned, into a great nursery of *publicans and sinners*.

As involving a system of penal discipline and reform, Governor Macquarie's administration of the government of New South Wales was unquestionably a failure. In the disposal and employment of the convicts during his government, these great objects of the original establishment of the colony were, if not uniformly, at least too frequently, postponed by objects of far inferior importance. In this opinion I am not singular. After enumerating the different kinds of labour in which convicts were employed on the government establishments of the colony during Governor Macquarie's administration, Mr. Commissioner Bigge makes the following judicious observations:—

“ Such are the several kinds of labour performed by the convicts retained in the service of government in New South Wales and Van Die-

man's Land ; and as they have grown altogether out of the presumed wants of the local governments, *little consideration "has been afforded by them to the effects that they have produced, either in the shape of punishment or of reform.*

“The distribution of the convicts in the first instance, the resumption of their services at subsequent periods, the extension of them beyond the terms assigned to others, have contributed to create an universal impression upon the minds of the convicts, that skilfulness in work, rather than immoral conduct, was the cause of their first enthrallment, and the measure of its continuance. This feeling produces discouragement, carelessness, and not unfrequently malicious and wanton destruction of the property of government.

“The local temptations to plunder that assail the convict employed in the towns, and the habits of luxurious indulgence that he acquires during his period of compulsory service, tend to fix his residence there when he is emancipated ; and while the price of mechanical labour is thus enhanced to the settlers in the country, the habits of the mechanic himself become permanently depraved and licentious.”

The salutary effect of employment on the public works of the colony in the earlier period of its history, whether considered as a means of insuring the reformation of the convict, or of rendering him really useful to the community, is strongly contrasted by Mr. Bigge with the general effect of such employment during Governor Macquarie's administration. After observing that, “in the years 1792 and 1793, many circumstances concurred to stimulate the exertions of the convicts,” such as the scarcity of food, the great demand for labour, and the infliction of summary and severe punishment for idleness or dishonesty, Mr. Bigge proceeds as follows :—

“The agricultural operations, although limited to the use of the hatchet and the hoe, admitted both the employment of the most unpractised labourers, as well as an exact and severe apportionment of their labour to their skill and strength. The labour of government was not at that

time the labour that the convicts preferred : it was conducted at two places not then in the immediate neighbourhood of any settlers ; and one of these places was distant three, and the other five miles, from the town of Parramatta ; and neither were infected by the luxurious dissipation of that place, or by the temptations to plunder, that the increasing opulence and property of the settlers have since afforded.

“ The species of labour likewise, in which they were instructed, was one that was in general use and demand ; and when a convict was assigned to a settler from the government works, he was not, as at present, an useless incumbrance or expense, but he was capable of immediately affording some return by his labour, for the subsistence and clothing that was furnished to him. The superintendents themselves were, from circumstances of the moment, equally interested in augmenting the produce of the government labour ; and they did not then, as many of them do at present, possess an interest that lies exactly the other way.”

I am also constrained, from a sovereign regard to truth, to remark, that the principle on which emancipations, tickets of leave, and other indulgences, were too frequently granted to convicts by Governor Macquarie, had a direct tendency to preclude the reformation of the convict, and to obliterate from his mind all sense of criminality. Convicts who had either brought money with them to the colony,—the fruit, perhaps, of their knavery in England,—or whose wives had followed them out with their accumulated and dishonest savings, or who had originally moved in a higher sphere in society than the mere labourer,—not unfrequently received tickets of leave on their arrival in Sydney, and were immediately placed in as comfortable circumstances as they had ever known in England, besides possessing facilities for making money such as they could never have anticipated in the mother country. Persons in these circumstances,



moreover, had only to render some small service to the government, as in supplying horses and carts for an expedition of discovery, for conveying the Governor's baggage when travelling in the interior, or for carrying stores and provisions to some road party, to obtain emancipation or entire freedom in the colony ; while it not unfrequently happened that others obtained similar indulgences through the recommendations of unprincipled magistrates, superintendents, or overseers, to whom they had rendered private services as the price of their corrupt influence. Of thirty-nine convict labourers on the Bathurst road, three obtained free pardons ; one, a ticket of leave ; and thirty-five, emancipations ; while seven convicts holding tickets of leave received emancipations merely for supplying horses and carts for the carriage of provisions and stores : nay, a convict who had been transported for the second time, and who, on his arrival in Sydney, had obtained a ticket of leave, and was allowed to open a public-house at Parramatta, obtained his emancipation for merely sending a horse and cart, under the charge of *his assigned convict servant*, to assist in conveying provisions and stores to the road-parties. Governor Macquarie had doubtless established regulations shortly after his arrival in the colony for the granting of indulgences to convicts *on their good conduct only* ; but as there had been no fewer than four hundred and fifty exceptions to these rules up to the time when Mr. Bigge commenced his inquiry, it is evident that the maxim of *exceptio probat regulam*, was, in Governor Macquarie's case, to be translated, "the numerous exceptions prove the rule to be of no value whatever." The effect of such a state of things

on the convict population of the colony may be easily conceived ; for, although the Governor was himself above suspicion, both in regard to the purity of his motives and the integrity of his conduct, a general belief was induced in the colony that “ the rewards of good conduct had become the subjects of sale and barter through the corruption of his agents.”

Governor Macquarie's early efforts “ to bring forward ” the emancipists had received much and perhaps injudicious commendation from the Parliamentary Committee on Transportation in the year 1812 ; and, although Earl Bathurst endeavoured afterwards to put him on his guard against the evil consequences that might ensue from incautiously pushing such a principle to extremities ; the circumstance appears to have not only confirmed him in his adherence to the course he was pursuing, but to have induced him to adopt every possible means of rendering it virtually imperative on all and sundry to follow his example.

That Governor Macquarie was right in the abstract, in endeavouring to restore to society individuals who had given undoubted evidence of their thorough reformation, is undeniable ; but the method he employed in effecting that praiseworthy object was not less objectionable, than his selection of individual emancipists for putting his benevolent experiment to the test was peculiarly injudicious. It may be laid down as a general principle, that if an individual who has been a convict becomes thoroughly reformed, he will exhibit a retiring disposition, and court obscurity ; and that, on the contrary, if a person of this class is obtrusive in his

demeanour, and ready on every occasion to thrust himself on the society of those who still regard him with aversion or suspicion, there is a moral certainty of his not being reformed at all. Governor Macquarie's reformed characters were unfortunately of the latter description; and His Excellency having taken extraordinary pains to have them forced into society, it was not at all wonderful that a considerable majority of the reputable portion of the inhabitants of the colony should refuse to submit to his dictation in a matter so entirely beyond the province of a Governor, and that much bitterness of feeling should be the unhappy result of the ill-managed experiment.

These efforts of Governor Macquarie were particularly obnoxious to most of the officers of the forty-sixth and forty-eighth regiments, as well as to certain of the civil officers and other respectable inhabitants of the colony; and as Governor Macquarie was unfortunately subject to the common weakness of military governors, in regarding as the enemies of his person and government all who were not disposed to make an entire surrender of their own judgments and feelings to his; the usual scenes of colonial warfare, crimination, and recrimination, ensued; and these jar-rings had, in this particular instance, the singularly unhappy effect of making the two classes, of which society is composed in the Australian colonies, regard each other with much more unfriendly feelings than if no such injudicious attempts to unite them had ever been made. These feelings still subsist; but, as the management of the colonial press, which, in the hands

of thoroughly unprincipled and worthless characters of the class of emancipated convicts, has hitherto been the most influential agent in keeping them alive for the worst of purposes, has at length passed into other and better hands ;—there is reason to hope that the moral evils of which they have long been productive in colonial society will now be gradually neutralized.

I should be sorry, however, to do so much injury to the memory of Governor Macquarie, as not to inform the reader that his errors were rather errors of the understanding than of the heart. He had evidently taken up a wrong idea of his duty in the very peculiar circumstances in which he was placed ; and being a man of much decision of character on the one hand, and a stranger on the other to that acuteness of moral sense which often compensates for obtuseness of intellectual vision, he was apt to push every thing to extremes. He encouraged and promoted marriage in those quarters in which a very different mode of life had been previously connived at ; and, in externals at least, the colony assumed quite a different aspect under his vigorous and energetic management from what it had previously worn. Towns were planned or improved during his government ; and the inhabitants were encouraged, by grants of land or other inexpensive gratuities, to erect substantial buildings. I have already noticed the discovery of the Bathurst country : the district of Argyle, the grand outlet to a well-watered agricultural and pastoral country of vast extent to the south-westward, was also discovered during his admi-



nistration. The Lachlan and Macquarie rivers, to the westward of the Blue Mountains, were traced by Mr. Oxley, the Surveyor-General, till they gradually disappeared in vast swamps in the western interior; and the river Hastings, with a large extent of pastoral country to the westward, called Liverpool Plains, was discovered to the northward. The agricultural penal settlement of Emu Plains, at the eastern base of the Blue Mountains, was formed during the government of Major-General Macquarie, as also the penal settlements of Newcastle at the mouth of the River Hunter, and of Port Macquarie at the mouth of the Hastings.

The highest talents and the most extensive acquirements are uniformly found conjoined with some weakness or other, to remind us of the condition of our mortal existence. Governor Macquarie's weakness was a rabid desire for immortality, that took a singular delight in having his name affixed to every thing that required a name in the colony; whether public buildings or remarkable localities, places, persons, or things. It was said of Greece by one of the ancient Roman poets, "There's not a stone i' the land without a name."\* On my first arrival in the colony, shortly after the close of Governor Macquarie's administration, it appeared to me that a similar remark might with almost equal propriety have been made of New South Wales; with this difference, however,—that in the latter case the name for every thing was *Macquarie*. The

\* Nullum sine nomine saxum.—JUVENAL.

Governor's weakness in this particular being easily discovered, the calculating colonists found it their interest to affix His Excellency's name to any thing he had given them in the shape of landed property, as in that case they were almost sure to obtain an extension of their grants. A worthy colonist, with whom I was sufficiently acquainted to learn the circumstance a few years ago, had at one time no fewer than two farms and a son—all called Macquarie.

A propensity of this kind on the part of the ruler was likely to be a fruitful subject of ridicule with those who were dissatisfied with his measures ; and the following instance of this species of colonial humour is not undeserving of preservation. The late Dr. Townson, LL.D., a gentleman of very superior literary and scientific acquirements, who had published a volume of *Travels in Hungary*, and had afterwards settled in New South Wales, was on some occasion entertaining a party of visitors at his residence, a few miles beyond the settlement of Liverpool, by showing them his extensive and well-stocked garden and orchard. One of the party, observing an insect on one of the trees in the grounds, asked the doctor, who was an eminent naturalist, what its name was. The doctor replied, with the utmost gravity, " It is a species of bug that abounds in the live timber of the colony : it has not yet got a name ; but I propose that it should be called *Cimex Macquarionus*, or the *Macquarie Bug*."

After a long and laborious administration of nearly twelve years, Major-General Macquarie was succeeded

in the government of New South Wales, on the first of December, 1821, by Major-General Sir Thomas Brisbane, K. C. B. He returned to his native land immediately after, and died, much and justly regretted by a large proportion of the colonists, in the year 1824.

## CHAPTER VI.

ACCOUNT OF THE STATE AND PROGRESS OF THE  
COLONY UNDER THE GOVERNMENT OF MAJOR-  
GENERAL SIR THOMAS BRISBANE, K.C.B.

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“Tanta benignitate præditus erat, ut neminem unquam a se, nisi hilarem ac spe plenum, discedere pateretur; omnia enim benigne pollicebatur, neque quicquam unquam petenti denegabat: quod si promissa præstitisset, tantam tamque inauditam in principe bonitatem omni laude, prædicatione, litteris, monumentisque decorandam existimarem: sed quanto gravior laudabiliorque ejus in promittendo facilitas ac liberalitas videbatur, tanto acerbior turpiorque in frangenda fide vanitas atque inconstantia judicabatur; promissa enim reposcentibus solitus erat respondere, *Non memineram me alteri promisisse.*”—Vita Papæ Leonis X., ab incerto auctore rescripta.

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MAJOR-GENERAL SIR THOMAS BRISBANE, K.C.B. was the sixth Governor of New South Wales, and entered on the government of the colony on the first of December, 1821. Sprung from an ancient family of high standing in the west of Scotland, of approved valour and ability as a general officer in the army, and distinguished among military men and men of rank by the fame of his scientific acquirements in the department of astronomy, the appointment of Sir Thomas Brisbane



to the government of New South Wales was universally regarded as a circumstance of the happiest omen for the colony ; and the most sanguine anticipations were formed of its rapid progress and general advancement under his administration.

In these anticipations, I confess, I fully participated ; and as my forefathers had resided considerably upwards of a century on a small property which had originally formed part of the Brisbane estate, and which they sold at last to emigrate to New South Wales, it was natural that I should look forward with the fondest anticipations to the benefits which I expected would accrue to my adopted country from the government of Sir Thomas Brisbane, and that I should have esteemed it the highest pleasure to have been the recorder of his fame. I am reluctantly compelled to acknowledge, that these anticipations were but indifferently realized.

Sir Thomas Brisbane was a man (to use the language of the world) of the very best intentions. If good wishes, or even liberal promises, could have been of any avail to individuals who required his assistance as the Governor of a British colony, he was not the man to withhold them ; but being constitutionally disinclined to business, he was at the same time singularly deficient of that energy of mind which was requisite to carry his purposes into action ; and the consequence was, that though possessing for a considerable period the delegated powers of royalty, his good intentions were seldom realized, and his promises too frequently forgotten. It happened, therefore, as a matter of course, that while

overflowing with the milk of human kindness in his intercourse with all, he attached few, if any, to his person and government, and unhappily converted into his bitterest enemies those who would otherwise have been his warmest friends. In short, Sir Thomas Brisbane presents an instance of that singular assemblage of apparently inconsistent qualities of mind, which we are so frequently called to witness in actual combination in the anomalous history of man. Brave even to heroism on the field of battle, and possessing a keen discernment in the field of telescopic vision, he was nevertheless destitute of that decision of character which is indispensably necessary to ensure pre-eminence in the field of the world; and which, moreover, in so far as my own experience and observation extend, constitutes the rarest, as it is perhaps the noblest, attribute of humanity.

I have said that Sir Thomas Brisbane had little inclination for business—I mean for such business as the Governor of New South Wales must make his daily employment, if he would discharge his duty to His Majesty or consult the welfare of His Majesty's subjects. The government of the colony was accordingly entrusted in great measure, for a considerable period after his arrival in the colony, to irresponsible inferiors, some of whom were as remarkable for their want of integrity as others for their incapacity: and the necessary consequence of this unhappy arrangement was, that while the general advancement of the colony was but indifferently studied, arbitrary acts—acts of injustice and oppression—were sometimes done, in His Excellency's name and under his authority, which his own better

feelings and better judgment would in other circumstances have disallowed.

It was in these circumstances that a despicable system of espionage, which prevailed in the colony to a certain extent up to the period of the present Governor's arrival, and under which no honest man was safe for a moment, was introduced and encouraged; for although Sir Thomas Brisbane would, in as far as he was personally concerned, have held such an instrument of government in perfect abhorrence; those who from time to time administered the government in his name had each his peculiar antipathies and predilections, which were diligently fostered by certain *listen-and-tell-all* aspirants for the honour and emoluments of informer-general of the colony: and, in a colony like New South Wales, abounding in needy adventurers, not less bankrupt in character than in fortune, the voluntary and undefinable duties of an office of this kind were likely to be sedulously discharged.

The government of Sir Thomas Brisbane will always be memorable in the annals of New South Wales as the era of free emigration. A few respectable families of the class of free emigrants had from time to time arrived in the colony, under the patronage of Government, during the administration of the preceding governors—a free passage being given them by the Government, and a grant of land on their arrival in the territory, with rations for their families and servants for a certain period afterwards from the King's stores. This system was discontinued, however, about the year 1818; Mr. Michael Henderson, a respectable free emigrant

from the south of Scotland, who arrived in the colony during that year, and who is now settled on the river Hunter, having been the first free emigrant who paid his own passage to New South Wales.

Towards the close of Governor Macquarie's administration, the capabilities of the colony became somewhat better known in the mother country, and the tide of emigration consequently began to set in towards its shores on the arrival of Sir Thomas Brisbane, and continued to flow with a steadily increasing velocity during the whole period of his government. The great distance of the colony, however, from the mother country, and the consequent expense of the passage-out, almost entirely precluded that class of emigrants, which chiefly abounds in the British colonies of North America, from emigrating to New South Wales; and, as it was chiefly persons who possessed the means of affording employment to the convicts that the Government wished to emigrate to that colony, grants of land in the territory, duly proportioned to the amount of their real and available capital, were held out by the home Government to those only who could produce satisfactory certificates of their possessing a capital of at least £500. From these circumstances, the numerous free emigrants who arrived in New South Wales during the government of Sir Thomas Brisbane were generally of a higher standing in society than the generality of the free emigrants who have settled in the British provinces of North America: some of them had been gentlemen-farmers, others were the sons of respectable landholders in the mother country; some of them had been unfortu-



naté in mercantile speculations, and others had just saved the remains of a property which they found daily diminishing at home, to form the nucleus of a better fortune abroad ; some were actuated by the spirit of adventure, while others had been impelled to emigrate by the pressure of the times.

These emigrants, according as each preferred a particular locality, settled, for the most part, either in the pastoral country adjoining the Cow-pastures, or on the open plains of Bathurst, beyond the Blue Mountains ; along the thickly-wooded alluvial banks of the Hunter and its two tributary rivers, or in what was then called the *New Country*, or the district of Argyle. The general extent of their grants was from five hundred to two thousand acres. Rations from the King's stores were at first allowed to each settler, and to a certain number of convict servants proportioned to the extent of his grant, for the term of six months after he had taken possession of his land ; and he was also allowed a certain number of cattle from the Government herds, as a loan to be repaid in kind in seven years : but, in consequence of the number of emigrants rapidly increasing, these indulgences were afterwards discontinued.

The immense advantages resulting to the colony on the one hand, and to the Government on the other, from this influx of respectable free emigrants, during the administration of Sir Thomas Brisbane, cannot be better illustrated, than by contrasting the state of things in regard to the prison population at the close of Governor Macquarie's administration, when the tide of emigration was just beginning to flow to the colony ;

with its state shortly after the commencement of General Darling's, when it had been flowing steadily for several successive years.

I have already shown how Governor Macquarie's endeavours to transform the emancipated convicts into an agricultural population generally failed of success. In fact, agriculture was a sort of employment to which the great majority of the convicts were decidedly averse; and the first use, therefore, which they usually made of their freedom, on the expiration of their respective sentences, was to betake themselves to the towns. From this cause the agricultural population of the colony was for a long period quite inadequate to supply the community with the means of subsistence; insomuch, that so late as twenty-five years after its first establishment, recourse had repeatedly to be had to India for grain at a prodigious expense to the Government. But as convicts continued to be poured into the territory every year, and as employment could not possibly be found for them all in the towns, Governor Macquarie was tempted to form agricultural and penal settlements in various parts of the territory; as, for instance, at Emu Plains, on the alluvial banks of the Nepean River, and at Newcastle, at the mouth of the river Hunter; where numerous convicts were employed, on account of Government, in felling timber, and in the processes of agriculture. Land was accordingly cleared to a considerable extent, and buildings erected in these localities at a vast expense to the British Government. But when the rapid progress of the colony, from the influx of free emigrants during the government of Sir Thomas Brisbane, had

rendered these establishments quite unnecessary, in the way of securing employment for the convicts, it was found that the value of the land in their immediate vicinity had been but little increased by all the labour that had been expended upon it; while the buildings were of no value at all, and were suffered, for the most part, to go to ruin.

But, notwithstanding the great number of convicts that were employed at these expensive government establishments towards the close of Governor Macquarie's administration, convict labour was so complete a drug in the colony, on the arrival of Sir Thomas Brisbane, and the colonial executive was so utterly unable to find suitable employment for the constantly increasing number on their hands, that any respectable person who pledged himself to the Government to employ and to maintain twenty convict servants, could immediately, and without any other recommendation whatever, obtain a grant of two thousand acres of land, or one hundred acres for each convict servant. My late father, Mr. W. Lang, arrived in the colony as a free settler in the month of January, 1824, having an order for a grant of land from Earl Bathurst. On presenting the order at the Colonial Secretary's Office, he merely pledged himself to employ twenty convict servants, and accordingly obtained a grant of two thousand acres; but in the year 1822, my younger brother, who had no order from the Home Government, but merely offered to maintain ten servants, on applying for a grant of land, obtained a grant of one thousand acres; while other young men of the same standing and in the same

employment, but a little more politic, by merely pledging themselves to maintain double the number of convicts, obtained double the quantity of land.

It was soon found, however, that in consequence of the continued influx of free settlers, the colonial government had by no means such a number of convict labourers to dispose of as they had anticipated, and were consequently so far from either requiring or compelling the grantees to fulfil their engagements by maintaining the number of convicts they had respectively pledged themselves to employ, that they were even unable to supply them with the number they actually applied for. One government farm was therefore wisely abandoned, and one penal settlement broken up after another; and the numerous convicts were distributed forthwith among the free settlers, who of course had comparatively little difficulty in devising ways and means of employing them advantageously in the cultivation and improvement of their respective farms. And so steadily did the demand for convict labour increase on the part of the free settlers, that during the government of Lieutenant-General Darling there were at one time applications for no fewer than two thousand convict labourers lying unsatisfied in the office of the principal superintendent of convicts.

I am, therefore, decidedly of opinion that Governor Macquarie's procedure in discouraging free emigration to New South Wales was impolitic and preposterous in the extreme; and I am equally confident, that if the British Government had steadily followed up the prudent suggestions of Governor Phillip, by encouraging



the emigration of free persons of reputable character in the earlier times of the colony, and by doing every thing that was requisite to promote their comfortable settlement throughout the territory; not only would the colony have raised sufficient grain for its own consumption at a much earlier period than it actually did, and thereby saved the enormous expense incurred by the frequent importations from India and Batavia; but flourishing agricultural settlements would have been gradually formed with the utmost facility, and at little or no expense to Government, all over the territory; while the highly important process of converting the prison population into an agricultural population would have gone on progressively and successfully; and the British Government would have been saved the enormous expenditure incurred on the government and experiment farms of the colony—an expenditure, which, I am fully persuaded, has proved of as little real benefit to the colony, as if the money had been thrown at once into the Pacific Ocean.

But, independently of these considerations, the long-continued neglect of the highly judicious recommendation of Governor Phillip, and the impolitic procedure of Governor Macquarie, have given rise to a most anomalous feature in the political constitution of New South Wales, which has hitherto been a fruitful source of perplexity to the governors, and of disunion in the colony:—I allude to the rise and influence of the emancipist body as a separate class in the community. Had a system of free emigration been duly encouraged and steadily pursued from the first settlement of the colony,

it would have been impossible for the class of emancipated convicts to have acquired any thing like political preponderance in the country. They would have been subject to no political disabilities, to which they are strangers at present; they would have *bought and sold, and got gain* as freely as they do now; and individuals of their number would ever and anon have been regaining, by the sheer force of their meritorious conduct, the place in society from which they had fallen, and the estimation they had lost. But their existence as a separate and prominent class in the colony,—a class on which political demagogues might successfully practise their O'Connellish arts of agitation, on whose universal suffrage they might count at all times, and on whose shoulders they might raise themselves to colonial distinction—would never have been dreamt of. The reader will doubtless perceive, that such a state of things would assuredly have been much more favourable than the present, to the peace and good government and general advancement of the colony; nay, much more conducive to the ultimate reformation of its convict, and emancipated convict, population.

In the more recently established penal colony of Van Dieman's Land, this better order of things has been happily realised. The emancipists of that colony are never heard of as a separate and influential body. Why? Not, certainly, because there are no such persons, or because they are subject to political disabilities unknown in New South Wales; but, simply because there has been a greater influx of free emigrants into that colony, in proportion to its size, than

into New South Wales ; and because the great majority of these emigrants arrived at a much earlier period in its history as a colony, than the corresponding era of free emigration to New South Wales ; and last, though not least, because there was no Governor Macquarie to disturb the natural order of things that ensued by casting his military sword and belt into the emancipist scale.

In Great Britain and the other states of Europe, the regulations of Government respecting the currency and the provisioning of the forces can only have a very distant and indirect bearing on the general prosperity of the country, and can have no perceptible influence on the national morality : in the small community of New South Wales, however, the case was so very different during the administration of Sir Thomas Brisbane, that two injudicious measures of government, relative to the currency and the supply of the King's stores, had a most unfavourable bearing on the general advancement of the colony, and on one of the grand objects of its original settlement—the reformation of the convict population.

Previous to the period I allude to, the King's stores had generally been open to the small settlers for the reception of wheat at the rate of ten shillings a bushel, and all business in the way of sale or purchase had been transacted in sterling money. During the prevalence of this system, the small settlers, or emancipated convicts, whom Governor Macquarie had succeeded in settling in various parts of the territory on farms of thirty, forty, fifty, or a hundred acres each, were in the

habit of purchasing their supplies of tea, sugar, clothing, rum, &c., from the Sydney merchants, and paying for them with the receipts they got from the commissariat officer in charge of His Majesty's stores for wheat supplied to Government at the usual rate. And it is not to be wondered at, that many persons, who had originally commenced their agricultural operations in a state of absolute poverty, and were only beginning to acquire those habits of economy which are usually found among the lower classes in other countries, should in such circumstances be indebted for the most part to these merchants, or should generally have received the value of their harvest before that harvest was reaped. In fact, nine-tenths of the small settlers were in debt at the time I allude to; and they had nothing but their crops, and the continuance of the system I have mentioned, to look to for the payment of their creditors.

In such circumstances it will appear evident to the reader, that any sudden or violent interference with the currency of the country, or with the mode so long adopted for the supply of His Majesty's stores, must have been fraught with ruin and desolation and moral debasement to the lower classes of the colony. Sir Thomas Brisbane was induced, however, at the recommendation of W. Wemyss, Esq., Deputy Commissary-General, and of Major Goulburn, Colonial Secretary, suddenly to change the circulating medium from sterling to a colonial currency, on the plea of effecting a great saving to the British Government by establishing a high premium on Treasury bills; and the immediate effect of the measure was to raise the pound sterling



twenty-five per cent above the pound currency. Besides, as Mr. Commissioner Bigge, who had been appointed to examine into the state of the colony during the government of Major-General Macquarie, had recommended to His Majesty's Government to adopt the system of tenders instead of the one in use in the colony, for the supply of the King's stores, but had also recommended the propriety of receiving into the stores as much superfluous grain as possible, that there might always be a supply in the event of drought or inundation; the rulers of the colony at the period in question adopted the one part of his advice, but neglected the other—apprising the public that in future all the supplies required for the Government should be furnished by *tender*; but that no grain, &c. should be received at any one time beyond the quantity required for the next ensuing quarter.

I arrived in the colony in the month of May, 1823, just in time to witness the impolicy of these measures, in the utter disappointment of their authors in regard to the contemplated saving to Government, as well as their truly lamentable and demoralizing effect on the lower classes of the colonial population. The harvest of that year was scanty, but withal sufficient for the colony if it had been duly husbanded: but in consequence of the operation of the *tender* system, the limited quantity of grain which it was known would be received by Government, and the eagerness of the small settlers to get their harvest disposed of to answer the pressing demands of their creditors, and to procure additional supplies, wheat, which had generally been sold before at from 7s. 6d. to

10s. sterling, was offered to Government at 3s. 9d. currency a bushel. This remarkable circumstance naturally deluded the colonists into the belief that the country was overflowing with grain, and a great quantity was consequently wasted, as is usually the case in such circumstances; and much was even given to the swine by those of the settlers who were not compelled to sell, and who had more grain than they required for their own consumption. The result was, that as the season advanced, the mistake was discovered when it was too late to rectify it, and when the colony began to be threatened with the miseries of famine. In short, wheat rose to £1. 4s. a bushel in the course of the season; and as nobody had any to tender the Government, the latter were obliged to adopt whatever ways and means they could devise to procure it. One of these had a very singular issue. A vessel was chartered by Government, on the recommendation of the officer in charge of the commissariat, and sent to Batavia for rice, wheat, &c. On her arrival in Sydney harbour, some of the colonial merchants, jealous of the interference of Government with their peculiar department as traders and importers for the colony, gave information against the vessel to the captain of a King's ship then lying in the harbour, who seized her in open defiance of the Colonial Government, and carried her off as a prize with all her cargo to India, on the ground of her alleged violation of the East India Company's charter in carrying tea, of which she had a small quantity on board for some of the Government officers, without a license.

This, however, was not the worst effect of the measure

in question. The debts of the small settlers had all been contracted in sterling, and the price they received for their wheat, which was sold at the low rate I have already mentioned, was in currency: they were therefore totally unable to meet the demand of their rapacious and unfeeling creditors, and their farms were consequently seized and sold, frequently at one-fourth of their value. A magistrate of the territory pointed out to me a small but very valuable farm in the vicinity of his own estate in the year 1826, which at the time I allude to had belonged to an emancipated convict settler, who had reared a large family on the land, and who bore a fair character in the neighbourhood as an industrious man. At the time in question the settler owed a merchant in Sydney, for goods which had been supplied to him on credit, at from fifty to one hundred per cent above the price for which the same description of goods could have been purchased for ready money, about £140. It was understood when the debt was contracted that it should be discharged immediately after the harvest of 1823; but the injudicious changes, which the Government had so violently and inconsiderately effected in the currency of the country and the mode of supplying the King's stores, rendered the fulfilment of that agreement, on the part of the poor settler, utterly impracticable. The creditor, however, was urgent in his demands; and the poor man, having no alternative, transferred to him all his own right and title to the farm for the discharge of a debt which a single harvest would in happier circumstances have enabled him to cancel. At the time the farm was pointed out to me, in the beginning of the year 1826, it was let to its former

proprietor for £70 per annum ; but the unfortunate man had been reduced in the mean time from the respectable standing of an independent landholder to the rank of a day-labourer or a tenant-at-will. In this very disreputable manner, large estates were acquired on the one hand by those who were unfeeling enough to take advantage of the times ; and numerous families, that had been gradually but slowly acquiring habits of industry and economy, became reckless and debased on the other, in proportion as they saw ruin staring them in the face. In short, at the period I allude to, the colony of New South Wales was evidently in that sickly state, in regard to the general character of the lower orders of its free population, which peculiarly called for the delicate treatment of an able and judicious physician. Unfortunately, however, it seemed to have fallen into the hands of unskilful apothecaries, who drenched it with horse-medicines, of such strength and in such quantity, that the patient almost expired in their hands.

I trust the reader will not suppose, from the preceding details, that I profess to have any skill in matters of finance. Whether the measure adopted by Sir Thomas Brisbane, in changing the circulating medium from sterling to currency, was a good measure or not in a financial point of view, I do not pretend to determine ; but as it was disapproved of by His Majesty's Government, and as the system previously in operation was restored by orders from home under the government of his successor, I presume it was not. All I contend for is, that in the peculiar circumstances of the colony, its sudden adoption was injudicious in the highest degree, inasmuch



as it was fraught with ruin and moral debasement to a very considerable portion of its emancipated convict population.

The reader will also observe that I do not presume to question the propriety of the change that was effected by Government, in the system of purchasing grain from the colonists for the supply of the King's stores : the extension of the colony rendered that change highly expedient, and the system recommended by Mr. Bigge is now in general and beneficial operation. All I contend for is, that the violence with which that change was effected by Sir Thomas Brisbane was fraught in a very high degree with ruin and moral degradation to many hopeful families throughout the territory. On the voyage from New South Wales to England, the mercury in the thermometer frequently stands in the high southern latitudes as low as eight or ten degrees below the freezing point ; while it rises within the tropics, perhaps in the course of a fortnight after, as high as ninety degrees. The health of the voyagers, however, is but little affected in either of these temperatures, because the transition is effected gradually ; whereas, were that transition immediate, fatal effects would in all probability ensue.

After the statements I have made relative to the principles and the acts of Sir Thomas Brisbane's administration, it will not excite much surprise that his government should have been exceedingly unpopular in the colony. In short, he was universally spoken against ; but, what was of much more consequence, he was written against, I believe, by individuals who had the mean-

ness to commend his measures in his own presence, and who, it may be, had but slight reason to congratulate themselves on the change that ensued. He was accordingly relieved by orders from home; and he left the colony in displeasure, previous to the arrival of his successor, on the 1st of December, 1825, at the close of the fourth year of his government.

Before he left the colony, however, he was fortunate enough, in the estimation of many of the colonists, to cover a multitude of his political errors, and to acquire a lasting accession to his colonial fame. In direct opposition to the maxims of Governor Macquarie's administration, Sir Thomas Brisbane had, for nearly four years, uniformly looked askance at the whole body of emancipists: but, just before he left the colony, it was understood that he would accept of an invitation to dine with the *élite* of that body; and he was accordingly invited, and accordingly dined with them. Holding as I do, that it is influential individuals among the originally free population of New South Wales who have all along been the most unmindful of their duty, and the most highly culpable of the inhabitants of that colony, it will not be supposed that I would visit Sir Thomas Brisbane with censure for any act of his government, the obvious tendency of which was to conciliate and encourage deserving individuals of the class of emancipists: still, however, as the act in question was decidedly an act of censure passed by himself on the whole tenor of his previous administration, it was rather unfortunate that there was also some reason to regard it as a mere *ruse de guerre* to attain popularity, when it

was no longer attainable in a less equivocal way. I am truly happy to be enabled to testify, that, during my own residence in the colony, I have found many individuals of the class of emancipists who have really returned to those paths of virtue from which they had unhappily swerved in earlier life, and become exemplary husbands and exemplary wives, and reared highly interesting and promising children. Such individuals deserve every encouragement, and it is the duty of every governor and of every respectable inhabitant of the colony to conciliate and encourage them to the utmost of their power. At the same time, it cannot be denied that individuals of this character do not constitute the majority of those who either could or would invite the Governor to dinner.

Besides, there was a moral significance in this act of the Governor's, which rendered it of far more importance in a political light than he was perhaps aware. The rapid progress of the colony, during the eleven years that have now elapsed since the close of Sir Thomas Brisbane's administration, has enabled many reputable individuals of the class of emancipists to acquire considerable property in the colony, in a fair and creditable and unexceptionable way: but the great majority of those of that class, who had acquired wealth in the colony at the period in question, had done so by the sale of rum and the practice of enormous extortion, by grinding the faces of their poorer brethren, and by getting possession of their property through oppressive and iniquitous law-suits. In such circumstances, it was the bounden duty of Sir Thomas

Brisbane to consider beforehand, whether an act of his, in his capacity of Governor, which should proclaim to the world that individuals who had become wealthy by such processes as these were in every respect reputable men, and fit associates for His Majesty's representative, would not be tantamount to an authoritative lowering of the standard of morals throughout the territory.

Had Sir Thomas Brisbane deemed it accordant with his public duty, as the Governor of New South Wales, to testify his ardent desire to encourage virtuous conduct on the part of the emancipists, by honouring any of their number with his presence at dinner, how much better would it not have been to have invited to Government House a few of those who had established an unblemished reputation in the colony, both in their public and their private relations ! An act of this kind would have been full of meaning, and that meaning would have been generally understood and fully appreciated ; for it would doubtless have operated as a strong incentive to virtuous conduct throughout the territory : and if Sir Thomas Brisbane had been visited for such an act of vice-regal condescension with the censure of little men, either in England or in New South Wales, he could have met their contemptuous sneers with the silent and indignant scorn of a high-minded and virtuous man. But to identify himself publicly with certain of the veriest blood-suckers in the colony, under colour of testifying his good feeling towards the general body of the emancipists, was certainly a compromising of his own reputation, while it was the worst step he could possibly have taken for the really meri-



torious portion of the body he professed to patronize, as it virtually sanctified the oppression under which they had groaned so long, on the part of individuals of the same class and of the same origin with themselves.

I should not have taken such particular notice of this act of Sir Thomas Brisbane's administration, had it stood solitary and unconnected with any thing remarkable in the subsequent history of the colony : but, insignificant as it may seem in itself, I have reason to believe that it had a most important bearing on the subsequent political state and condition of New South Wales ; and for this reason I conceive it especially deserves note and comment ; while other acts of apparently much greater importance, but which had no particular influence on the general state of the colony, may be allowed to pass in silence.

I happened to be absent on a voyage to England during the last fifteen months of Sir Thomas Brisbane's administration ; but on returning to the colony, a few weeks after he had sailed for England, I was incidentally shown a copy of a document which had just been forwarded for the inspection of Earl Bathurst, His Majesty's principal Secretary of State for the Colonies, by certain of the leaders of the exclusionist party, as a set-off against the addresses which the Governor had received from the emancipists and their friends on leaving the colony. It was what the French would call a *Catalogue Raisonné* of the emancipists whom His Excellency had honoured with his presence at the public dinner ; and it not only described their rise and progress in the colony, but raked up the ashes of crimes com-

mitted in England, of which the memory was probably supposed to have been long since buried in oblivion. I could not help regarding with a strong feeling of reprobation the superlatively evil spirit which this precious document evinced, while at the same time I could not help admiring the consummate artifice with which it was concocted. It accompanied a petition to Earl Bathurst, thanking his Lordship for granting the colony a Legislative Council, and praying for the appointment of a few additional members to that body, which, it was doubtless presumed, would consist of thorough-bred exclusionists—men whose information is generally as limited in regard to the real interests of the colony as their views are selfish and illiberal. Such a petition, with such an accompaniment, could not fail to be well received at head-quarters in the year 1826; and the more general petition for a House of Assembly, which had been got up chiefly by the emancipists and their friends, and which Sir Thomas Brisbane had engaged to recommend, was consequently treated with derision.

General Darling is well known to have kept himself at a great distance from the whole body of the emancipists during the entire course of his government, and to have strongly discouraged every effort on the part of the colonists to obtain a House of Assembly. How far he acted in these respects agreeably to instructions from home, I am not prepared to say; but as he was doubtless favoured with a copy of the document I have just described on his arrival in the colony, there is reason to believe that his throwing himself at once into the hands of the exclusionists, and thereby adopting a line of

policy, the very reverse of the one of which his predecessor had just left him an example, arose in great measure from an indistinct apprehension that he should otherwise have incurred the ridicule of wise and honourable men. A man who both knew his duty and could fearlessly perform it, whatever the world chose to think or say of him, would doubtless have been superior to such considerations ; but General Darling's well-known feverish sensitiveness in regard to the public press, clearly shows that he was subject to influences of this kind in no ordinary degree.

But there was a worse feature in this concluding act of Sir Thomas Brisbane's administration than any I have yet noticed. Shortly before his departure, he had been invited to a parting dinner by a deputation from the respectable free emigrant inhabitants of the colony : of this invitation he at once expressed his entire willingness to accept, *provided that certain of the leading emancipists should also be invited*. The deputation, however, having no previous authority to accept any such conditions, requested permission to consult their constituents on the subject ; and the result of that consultation was, that the honour of Sir Thomas Brisbane's presence should, on such conditions, be respectfully declined. A public dinner is the usual recipe of all unskilful speculators on the chemical affinities of different classes of men ; and Sir Thomas Brisbane was doubtless induced, as Governor Macquarie had been before him, to believe that by that notable expedient he could unite together in one beautiful harmonious whole the heterogeneous and discordant materials of which

Australian society is composed. But in assuming a right to dictate to reputable men as to who should be invited to their company or society, Sir Thomas Brisbane was carrying his viceregal prerogative a step farther than even Governor Macquarie had done, and was making effectual provision for the perpetuation and exasperation of those evil feelings which he was vainly professing to allay.

Governor Macquarie had not only invited to his table individuals of the class of emancipists on certain public occasions, when the officers of the regiments then stationed in the colony, to whom these individuals were peculiarly obnoxious, were bound to be present; but had even got them privately invited by the commanding officer to the regimental mess-dinners, on occasions when Governor Macquarie dined with the regiments, without the knowledge or concurrence of the majority of the officers. But these injudicious attempts at amalgamation uniformly produced effects the very opposite to those intended; and it is only remarkable, that after they had been strongly and decorously reprobated by the Commissioner of Inquiry, in his printed Report to the House of Commons, they should have been repeated so very shortly after by Sir Thomas Brisbane.

The following are the judicious remarks of Mr. Commissioner Bigge, to which I allude:—

“The influence of the Governor’s example should be limited to those occasions alone, when his notice of the emancipated convicts cannot give offence to the feelings of others, or to persons whose objections to associate with them are known. The introduction of them on public occasions should in my opinion be discontinued; and when it is known that they have been so far noticed by the Governor of New South



Wales, as to be admitted to his private table and society, the benefit of the Governor's example may be expected to operate ; and it will also be exempt from the fatal suspicion of any exercise of his authority."

There was a Turf-Club established under the auspices of Sir Thomas Brisbane shortly before his leaving the colony, ostensibly for the improvement of the breed of horses, but in reality for the periodical exhibition of horse-races. I am not singular in supposing that this institution was not likely to be of much service to the colony, even in the way of improving the breed of horses ; for the horse likely to be generally useful for agricultural purposes, i. e. the horse chiefly required in the colony, is surely not the race-horse. To this view of the matter, however, I attach no importance. Sir Thomas Brisbane, doubtless, thought the Club would be useful in the way I have mentioned, and accordingly took it under his special patronage, and set apart funds for the purchase of a silver cup, to be called *The Brisbane Cup*, and to be run for under its management.

There are sentimentalists in New South Wales, as there are in the mother country, whose tender hearts, forsooth, overflow with compassion for *the poor horses* on such occasions : I confess I have no such mawkish feeling. If the race-horse is made for running, as he evidently is—why, let him run by all means. But there are real and not imaginary evils of a different kind, and of prodigious magnitude, necessarily connected with all such exhibitions, in a colony so peculiarly constituted as that of New South Wales—evils, which the Governor of that colony should have foreseen on such an occasion as the formation of a Turf-

Club, and against the occurrence of which he ought carefully to have provided by very different means from those which Sir Thomas Brisbane adopted. For the races of New South Wales are not merely the signal for "the periodical assemblage of all the wealth and beauty of the colony," (to use the appropriate phrase,) but the signal for the periodical assemblage and concentration of all its vice and villany, and for the consequent recurrence of scenes of gambling, and drunkenness, and dissipation, which it is unnecessary to describe. A judicious Governor of that colony would therefore, I conceive, have hesitated ere he patronized and encouraged an association, the certain tendency of which was to deteriorate and to debase the breed of men, notwithstanding its holding forth the chance of improving the breed of horses: for although it often happens in New South Wales, as it does sometimes in England, that the horse is by far the nobler animal of the two, he is not the one who is capable of the highest improvement, or whom it is of the greatest consequence to society to improve; he is not the one who was originally *made but a little lower than the angels*, and who, notwithstanding his present debasement, may yet be enabled to re-ascend to that height of glory from which he fell.

There had been occasional races in the colony during the government of Major-General Macquarie; but the organization of a regular system of yearly or half-yearly races all over the territory dates from the administration of Sir Thomas Brisbane. There are the

Sydney and the Parramatta races, as distinct as those of Epsom and Doncaster, although the towns are only fourteen miles distant from each other. There are the Windsor races for the dwellers on the Hawkesbury, and the Liverpool and the Campbelltown races for the inhabitants of these minor colonial towns and their adjoining vicinities. There are races at Maitland and Patrick's Plains, two different stations on Hunter's River; at Illawarra on the coast; at Bathurst, beyond the Blue Mountains; and at Goulburn Plains, two hundred miles from Sydney, in the district of Argyle. In short, the *march of improvement* is much too weak a phrase for the meridian of New South Wales: we must there speak of the *race of improvement*; for the three appropriate and never-failing accompaniments of advancing civilization in that colony are a race-course, a public-house, and a jail.

The colonial publicans are, for obvious reasons, extremely active in getting up races wherever they fix themselves. I was travelling on one occasion to a distant district in the interior, and took a place on the top of one of the colonial coaches, as far as it went in the direction in which I was about to proceed on horse-back for the remainder of the journey. I was seated behind the driver, who had a well-dressed person alongside of him on the box, from whose loud and voluble conversation I soon learned that he was a free emigrant Englishman, recently arrived in the colony, who had just taken a public-house at a short distance from the town towards which we were travelling. There was a

large open field adjoining the house, which, it naturally occurred to him, was admirably adapted for a race-course, and he had accordingly proposed the matter to the nearest racing-club, who it seems were just looking out for such a thing, offering them free stabling for their 'osses, provided they made the race-course on the field in question. Besides, I was enabled to learn that he had a skittle-ground on his premises for people to amuse themselves of a Sunday,—and it had this peculiar recommendation; that it was “out o’ sight of your church-going people, who mightn’t like much to see such a thing on their way to prayers.”

It is peculiarly unfortunate for the real welfare of the colony, that gentlemen of the first rank in its limited society should condescend to league themselves in this manner with the veriest publicans and sinners to demoralize and to ruin the colony. The race of fools and spendthrifts is happily neither numerous nor influential in the mother country, and may therefore be left, with perfect safety, to the nation at large, to pursue their proper course of extravagance and folly; but, utterly unfurnished, as they have hitherto been unhappily left, with the good principles that are elsewhere derived from a manly education, it is natural for the native youth of the colony of New South Wales to look up to the free emigrant gentlemen of the territory, and to follow their example; and when they see the latter busily employed in training up race-horses and betting lustily on their performances, perspiring at a cricket-match, or huzzaing at a regatta; what can they possibly suppose, but that



such puerile and contemptible employments are fit for men? \*

Let the reader turn over a file of colonial newspapers for the last few years, and he will accordingly find them stuffed, almost to nausea, with advertisements and accounts of races, cricket-matches, boxing-matches, and regattas; with challenges to fight, to run, or to row, addressed by one obscure candidate for notoriety to another; and with lengthy descriptions of contests either by land or by water, between the colonial youth and natives of England, or, to use the phrase of the colony, between *currency* and *sterling*. In short, the energy of the native mind of the colony seems of late to have been diverted almost exclusively into this frivolous channel, and the circumstance is owing entirely to the highly influential but pernicious example of those who

\* "Horse-racing," observes the late Rev. Dr. Dwight, President of Yale College in America, "has for a long period been a favourite pursuit. This gross amusement turns polished men into clowns, and clowns into brutes."—DWIGHT'S TRAVELS, vol. III. p. 56.

"Some farrier should prescribe his proper course,  
Whose only fit companion is his horse;  
Or if, deserving of a better doom,  
The noble beast judge otherwise,—his groom.  
If neither horse nor groom affect the squire,  
Where can at last his jockeyship retire?  
O, to the club, the scene of savage joys,  
The school of coarse good-fellowship and noise.  
There, in the sweet society of those  
Whose friendship from his boyish years he chose,  
Let him improve his talent if he can,  
Till none but beasts acknowledge him a man."

COWPER.

ought to have taught them better things. If such employments were merely frivolous, they might well be tolerated; but the course to which they almost inevitably lead is a course of gambling and dissipation, ruinous to the morals of the country, and of course destructive of its general prosperity.

Arriving, therefore, in New South Wales with all the recollections of my boyhood—the time when returning from the parish school in the north of Ayrshire, I was proud to be noticed by Sir Thomas Brisbane, and to be asked the meaning of some line in Virgil or Ovid—I could not help wishing from the very bottom of my heart, that His Excellency's name might be associated in every future age with the intellectual and the moral advancement of my adopted country. Alas! the hopes I had formed were crowned with disappointment; for when I ask, *What Sir Thomas Brisbane did for New South Wales*; I pause in vain for a reply.

During the government of Sir Thomas Brisbane, considerable progress was made in the way of discovery in the interior. In the year 1819, a large river flowing inland, like the Lachlan and Macquarie rivers beyond the Blue Mountains, and called by the black natives the Morumbidgee, had been discovered in the country to the southward and westward, generally known as the New Country, or Argyle; and in the year 1823, Captain Currie, R. N., in the course of an expedition to the southward, discovered an extensive tract of undulating country, naturally clear of timber, and watered by the Morumbidgee, at a point much nearer to its source than had previously been reached by any Euro-

pean. In honour of the Governor, this valuable tract of *new-found land* was named by its discoverer "Brisbane Downs," but it has since been much more generally known by its native name of Monaroo, or Maneira Plains. It has since been ascertained to extend from the Great Warragong Chain, the Snowy Mountains, or Australian Alps of the present colonists, in the 149th degree of east longitude, to the mountain range which runs parallel to the east coast, and from the present limits of the colony to Bass's Straits. Maneira Plains, which are at least from two to three thousand feet above the level of the sea, and of which the climate in winter is exceedingly cold, are now occupied by a daily increasing multitude of colonial squatters, having each herds of cattle and flocks of sheep, as numerous as the flocks and herds of the patriarch Job.

In the following year, Messrs. Hovell and Hume, the former a retired ship-master, who has been for many years a respectable settler in the colony, and the latter a highly enterprising native of New South Wales, undertook a journey, chiefly at their own charges, from Lake George, in the county of Argyle, to Bass's Straits. The following is a brief sketch of the course and results of that interesting journey, from the pen of Allan Cunningham, Esq.:—

"Our travellers took their departure from a stock station near Lake George, with the intention of pursuing a direct course to the south-west: finding this impracticable, however, from the broken and mountainous character of the country, they stood considerably to the westward.

“ Having passed to the westward of the meridian of  $148^{\circ}$ , they found no farther impediments in their route to the south-west, having broadly on their left hand, or a little to the eastward of them, the great Warragong Chain. In latitude  $36^{\circ}$  the party crossed a river, which derived its source from those snow-clad mountains, and was flowing with considerable rapidity among the hills towards the north-west. To that stream, which, in consequence of its depth and width (exceeding one hundred yards), they had some difficulty in passing, they gave the name of ‘Hume.’ Their journey was now conducted through a fine, open, thinly-timbered country; its surface was, for the most part, hilly, or moderately undulated; and occasionally, to diversify the scene, there broke upon the view a patch of plain, without a tree, but abundantly clothed with a grassy vegetation. This pastoral country was found, even in the summer months, well watered by streamlets from the hills around; the waters of which, collecting, had formed a second river, to which our travellers gave the name of the ‘Ovens,’ upon fording it in latitude  $36^{\circ} 40'$ . This was described as being of less magnitude than the Hume; but its stream was of equal velocity; and the direction given it by a break in the hills, and the apparent inclination of the country, was also to the north-west; in which bearing, wherever a commanding position on the hills afforded the party a view, a declining wooded country was observed, with scarcely a single elevation.

“ Southerly, the land continued equally good, but, rising in altitude, presented a more broken, irregular



surface to our travellers, who, however, patiently surmounting the difficulties which lay in their way, at length came to a third stream, to which they gave the name of 'Goulburn.' This river, which was formed by a junction of several streamlets which came from the hills to the eastward, ran southerly in the direction of the course pursued by the expedition as far as latitude 37°, when it also took a decided bend towards the north-west.

"The exploring party now passed the meridian of 146°, and beheld before them the coast-range of hills. This proved to them a source of no small encouragement to continue their journey, for they had begun to despair of reaching the sea-coast, in consequence of the exhausted condition of their burdened beasts, and of the loss which they had sustained in their stock of provisions, by accidents and the great heat of the weather. A beautiful country, however, appeared before them; and as it exhibited an alternation of plain and woodland of like interest, *as affording an unlimited range of sheep and cattle pasture*, they had the more inducement to pursue their route to the southward cheerfully; and this they did, until at length they reached salt-water and a sandy shore," viz. at Port Phillip, in Bass's Straits.\*

In the year 1825, Mr. Cunningham discovered a practicable pass, which he named Pandora's Pass, from the upper part of the district of Hunter's River into Liverpool Plains, an extensive pastoral country to the

\* "Brief View of the Progress of Interior Discovery in New South Wales, by Allan Cunningham, Esq."—Journal of the Royal Geographical Society, vol. II.

northward and westward, previously discovered by Mr. Oxley; and also ascertained the limits of the plains to the westward and northward. These plains are now occupied by numerous colonial squatters with their numerous flocks and herds.

But the most important discovery effected during the government of Sir Thomas Brisbane was that of a large navigable river in the extensive bight on the east coast, called Moreton Bay, of which the general outline had been laid down by Captain Cook, and which was afterwards partially surveyed by Captain Flinders. In consequence of the recommendation of Mr. Commissioner Bigge, that a new penal settlement should be formed either at Port Bowen, Port Curtis, or Moreton Bay, to the northward of Port Jackson, and of orders to that effect from Earl Bathurst, the late Mr. Oxley, who was then Surveyor-General of New South Wales, was directed by Sir Thomas Brisbane to proceed to Port Bowen in the year 1823, to fix on a proper site for the proposed settlement, and to examine Moreton Bay on his voyage thither. Mr. Oxley accordingly embarked at Sydney, in the month of October, 1823; and the following is the account he gives of his unexpected and important discovery:—

“ I sailed from this port (Sydney) in His Majesty’s cutter *Mermaid*, on the 23rd of October, 1823; and early on the 2nd day of December following, when examining Moreton Bay, we had the satisfaction to find the tide sweeping us up a considerable inlet between the first mangrove island and the main-land. The muddiness and taste of the water, together with

the abundance of fresh-water molluscæ, assured us we were entering a large river ; and a few hours ended our anxiety on that point, by the water becoming perfectly fresh, while no diminution had taken place in the size of the river after passing what I called *Sea Reach*.

“ Our progress up the river was necessarily retarded by the necessity we were under of making a running survey during our passage. At sunset we had proceeded about twenty miles by the river. The scenery was peculiarly beautiful ; the country along the banks alternately hilly and level, but not flooded ; the soil of the finest description of brushwood-land, on which grew timber of great magnitude and of various species, some of which were unknown to us. Among others, a magnificent species of pine was in great abundance. The timber on the hills was also good ; and to the south-east, a little distance from the river, were several brushes or forests of the *cupressus australis*, of a very large size.

“ Up to this point the river was navigable for vessels not drawing more than sixteen feet water. The tide rose about five feet, being the same as at the entrance. The next day the examination was resumed, and with increased satisfaction. We proceeded about thirty miles farther, no diminution having taken place either in the breadth or depth of the river, excepting in one place for the extent of about thirty yards, where a ridge of detached rocks extended across, having not more than twelve feet on them at high water. From this point to *Termination Hill*, the river continued of nearly uniform size. The country on either side is of a

very superior description, and equally well adapted for cultivation or grazing; the timber being abundant, and fit for all the purposes of domestic use or exportation. The pine-trees, if they should prove of good quality, were of a scantling sufficient for the top-masts of large ships. Some measured upwards of thirty inches in diameter, and from fifty to eighty feet without a branch.

“ The boat’s crew were so exhausted by their continued exertions under a vertical sun, that I was reluctantly compelled to relinquish my intention of proceeding to the termination of tide-water at this time. At this place the tide rose but four feet six inches, the force of the ebb-tide and current together being little greater than the flood-tide,—a proof of its flowing through a very level country. Having concluded on terminating at this point the examination of the river, being seventy miles from the vessel, and our stock of provisions expended, not having anticipated such a discovery, I landed on the south shore for the purpose of examining the surrounding country. On ascending a low hill, rising about twenty-five feet above the level of the river, we saw a distant mountain, which I conjectured to be the *High Peak* of Captain Flinders, bearing south  $1\frac{1}{2}$  east, distant from twenty-five to thirty miles. Round from this point to the north-west the country declined considerably in elevation, and had much the appearance of extended plains and low undulating hills, well, but not heavily, wooded. The only elevations of magnitude were some hills seven or eight hundred feet high, which we had passed to the northward. The ap-



pearance and formation of the country, the slowness of the current, even at ebb tide, and the depth of the water, induced me to conclude that the river would be found navigable for vessels of burden to a much greater distance, probably not less than fifty miles. There was no appearance of the river being ever flooded, no mark being found more than seven feet above the level of the water, which is little more than would be caused by flood-tide at high water forcing back any accumulation of water in rainy seasons.

“ A consideration of all the circumstances connected with the appearance of the river justified me in entertaining a strong belief that the sources of this river will not be found in a mountainous country. Most probably it issues from some large collection of interior waters, the reservoir of those streams crossed by me during an expedition of discovery in 1818, and which had a northerly course.\* Whatever may be its origin, it is by far the largest fresh-water river on the east coast of New South Wales, and promises to be of the utmost importance to the colony ; as, besides affording a water communication with the southern country

\* This idea has not been verified by subsequent discovery. There is no such collection of interior waters as Mr. Oxley supposed, at least in that part of the Australian continent to which he refers ; and the streams crossed by Mr. Oxley in 1818 have since been found by Captain Sturt, of the thirty-ninth regiment, to empty themselves into a large river which the latter officer discovered in the year 1829, and named the Darling ; in which, pursuing a southerly course, is supposed to be the same river which ultimately unites its waters with those of the Murray and the Morumbidgee, and disembogues at length into the lake Alexandria on the southern coast.

bounding upon Liverpool Plains, *it waters a vast extent of country, of which a great portion appears to me capable of supporting the culture of the richest productions of the tropics.* I afterwards proceeded a few miles to the south-east from the river, through a gently broken country of good soil, declining in elevation towards the south; the high peak before mentioned being the only remarkable eminence from north-east to south.

“As the position of the entrance of the river was still to be fixed, and the channel to be examined, I lost no time in returning down the river with the ebb-tide, and stopped for the night at the base of the Green Hills; the highest of which was ascended the next morning, and the view from it was found more extensive than I anticipated.

“So much time was spent in the examination of the country above Sea Reach, that it was quite dark when we got to the entrance of the river; which, out of respect to His Excellency the Governor, under whose orders the bay was examined, was now honoured with the name of *Brisbane River*. The whole of the next day was spent in sounding the entrance and traversing the country in the vicinity of Red Cliff Point, and we did not reach the vessel until late in the night of the fifth of December, amply gratified in the discovery of this important river, as we sanguinely anticipated the most beneficial consequences as likely to result to the colony by the formation of a settlement on its banks.”

A penal settlement was accordingly formed in the year 1824, on the banks of the Brisbane, in lat.  $27\frac{1}{2}^{\circ}$

south, and the river has since been traced to its sources in ranges of moderate elevation, but at no great distance, to the northward. It receives several considerable streams in its course, which, together with the main river, traverse a large extent of eligible country, capable in every respect of supporting a numerous population.

## CHAPTER VII.

ACCOUNT OF THE STATE AND PROGRESS OF THE  
COLONY DURING THE GOVERNMENT OF LIEU-  
TENANT-GENERAL SIR RALPH DARLING, K.C.B.

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O fortunatos nimium, sua si bona nôrint,  
Agricolas! VIRGIL.

The agriculturists of New South Wales would have enjoyed much higher prosperity, and escaped much disappointment and disaster, had they made a proper improvement of their opportunities.

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LIEUTENANT-GENERAL SIR RALPH DARLING was the seventh Governor of New South Wales. He assumed the government on the 19th of December, 1825; the affairs of the colony having been administered for eighteen days previous to his arrival by Colonel Stewart, of His Majesty's Third Regiment, or Buffs, now a resident landholder in the colony and a Major-General in the army.

The reputation of General Darling has suffered extremely in the estimation of the public, from the ill-judged officiousness of his friends, as well as from the malice of his enemies: it is my intention to rescue it from the hands, and to do it justice in the face, of both: and as I cannot charge my recollection with



having received any personal favours from His Excellency, and as his ungracious refusal to attend to certain suggestions which I had done myself the honour to submit to him, with a view to promote the interests of education and religion in the colony, occasioned me the inconvenience and the hardship of a voyage to England, besides exposing me incidentally to much personal suffering; I can scarcely be suspected of partiality, if my estimate of his character and government should be somewhat less unfavourable than the one generally current.

It was commonly understood in the colony that General Darling had attained the rank he held in the army, rather through his literary than his military prowess; and the circumstance was often referred to by the colonial opposition newspapers, to his discredit. For my own part, I conceive it was just the circumstance that rendered him the fittest military man for the government of a colony. In such cases, I apprehend it is quite immaterial whether an officer has merited distinction by his pen or by his sword; but it is a sad prospect for a colony, for its governor to be able to wield only the latter of these weapons with dexterity and effect. Courage, whether active or passive, is by no means a rare virtue, either in savage or in civilized society; but the higher qualities of mind, which are essential for situations of extensive command, are exceedingly rare. The question of importance, therefore, is not how these qualities have been elicited, but whether they exist at all in the candidate for power.

General Darling's was by no means a mind of the

first order, but his talents were perhaps superior to those of the generality of mankind. He had naturally a correct judgment, a strong sense of justice, and a keen discernment of propriety: neither was he destitute of those qualities of the heart, without which the higher powers of intellect are oftener a curse than a blessing to mankind. Indeed, I am fully persuaded, that on his arrival in New South Wales, General Darling was sincerely desirous of discharging the duties of his station with credit to himself, with satisfaction to his superiors, and with general benefit to the colony.

There are certain impressions, however, to which men of particular classes and professions are peculiarly subject, (Bacon gives them the singular appellation of *idols of the den*,) which often serve to neutralize the proper qualities of the individual, and to exert a powerful influence on the whole course of his conduct. The military man, for instance, is always *under authority*; he is consequently much less a free agent than the rest of mankind: he waits uniformly for the word of command; and instead of regulating his procedure according to his own sense of propriety, he looks upwards for direction to some superior authority, who, like the Jupiter of the ancients, shakes Olympus with his nod. It is impossible but that such a state of things should exert a powerful influence on minds originally formed of second-rate materials: hence it follows that in cases of emergency, and when thrown entirely on their own resources, military men, who, we should expect, would always evince the greatest decision of character, sometimes exhibit the least.

The military man, moreover, is also peculiarly unfitted by his previous habitudes of mind for dealing with opposition, when he happens to be invested with civil authority. Opposition, in the various forms which it assumes in reference to such classes of men, is the natural element, so to speak, of the statesman, the lawyer, and the merchant. It is the atmosphere they breathe: it is the food that supplies nourishment to those intellectual powers that contribute the most materially to their ultimate success. So far from considering its occurrence as a thing unreasonable, they view it as a matter of course, and regard it only as affording a proper and perhaps desirable opportunity for the development of their own superior tact and ability. But the military man, when invested with civil authority, is apt to regard opposition to his measures on the part of private individuals in a very different light. Accustomed to yield implicit obedience to the superior authority to which he has himself been subject, he is apt to expect implicit submission from those whom he naturally looks upon as his own inferiors; and the very idea of a demonstration of resistance to his authority is consequently apt to make him *stiffen his sinews, stretch his nostrils wide*, and place himself at once in the attitude of offensive warfare. In short, so far from inducing compliance or concession, opposition is apt to confirm the military man in the determined pursuit of those obnoxious measures which he has once adopted.

The extreme unpopularity of General Darling's government arose, I apprehend, in great measure, from his being under the influence of these *idols of the den*—a

species of idolatry, under which minds of a higher order would doubtless not have bowed. Naturally desirous to stand well with his superior officer, and holding it a sort of disobedience of orders either to think or to act for himself, in any case in which it was possible to ascertain or to guess at his opinion, he unhappily distrusted his own judgment, which in most cases would have pointed out to him the proper course, and allowed himself to be guided by the opinions of men who were unqualified to direct him. In a colony in which the measures of Government are uniformly open to the most jealous, and frequently to the most illiberal criticism, it was not wonderful that circumstances should arise in General Darling's administration of public affairs, to form the plausible groundwork of a regular opposition on the part of an influential portion of the colonial press. This opposition would at best have been exceedingly feeble, and would speedily have been entirely annihilated, had he merely pursued a straight-forward course, without ever condescending to notice it; or silently adopted a hint occasionally for the improvement of his plans. But his friends persuading him that his government was in danger—the old hue and cry of incapacity—and that it was necessary to put down opposition with the strong hand of power, hostile and vindictive measures on the part of Government were eagerly resorted to: nay, whoever presumed to entertain a different opinion on so important a subject, and to hold intercourse with those who had been gratuitously branded as the enemies of the state, was



immediately marked as a disaffected person, and treated accordingly.

In such circumstances, it was soon found necessary to strengthen the government party, by attaching the individuals who composed it as strongly as possible to His Excellency's person and government. Their loyalty was of course rewarded by lucrative employments, and by all the other indulgences that the Government could bestow; and the system of egregious partiality that was thus notoriously practised served only to originate and to embitter disaffection. In short, instead of acting with the magnanimity and decision which befitted his high station as the representative of royalty, General Darling followed the course of short-sighted policy which was recommended for his adoption by the selfish politicians *in petto* whom he admitted to his counsels; for he was unhappily surrounded by men of hopeless mediocrity, whose incessant cry was that of the daughters of the horse-leech, "Give, give;" and whose contemptible cupidity was only equalled by their narrow-mindedness and vindictiveness.

I have already hinted, that the persons into whose hands the Governor thus virtually surrendered himself were of the sect of exclusionists. They were exclusionists in politics, and would willingly have subjected, not only the whole class of emancipists, but moderate persons of all classes throughout the colony, to political disabilities. They were exclusionists in place and property, eagerly endeavouring, that whatever the Governor had to give in the shape of land or town allotments, or

appointments of emoluments, should be given exclusively to themselves or their dependents. They were exclusionists in religion, which a few of them professed by *paying tithes of mint, and anise, and cummin*, in the shape of paltry subscriptions to religious societies; and their motto and device was, *We are the people. Stand back, for we are holier than ye.*

It will doubtless be considered greatly in favour of General Darling, that he devoted all his time and talents to the personal discharge of the duties of his office. If there was a single individual in the colony who allowed himself no unnecessary rest and no unnecessary recreation, it was the Governor. Every case, even of minor importance, that occurred, received his personal consideration; every letter had to be submitted for his personal perusal. Mistakes and errors of judgment might occur under such a system; but whensoever and wheresoever they occurred, they could not be imputed to the Governor's neglect.

General Darling also deserved well of the colony for the regularity and the system he introduced into every department of the public service. Previous to his arrival, the colonial state machine was frequently out of order; and it was often a matter of difficulty to ascertain which of its wheels should be touched, to set it a-going in a particular direction. In General Darling's time it was remarkable for the regularity and precision of its movements. The duties of each department were ascertained and fixed, so that one could not interfere with another. Forms of application and

forms of procedure were established, which greatly facilitated the transaction of public business, though, to the eye of ignorance, or prejudice, or malice, they rather tended to retard and to perplex it. A disposition of this kind, however, is apt to run to extremes. General Darling was too much a man of forms and system ; and his successor, Sir Richard Bourke, has found, that by simplifying his arrangements, he can get through more business with fewer hands.

In the apportionment of grants of waste land on the part of Government, General Darling has been accused of great partiality to certain parties, and of great injustice and oppression to others. It was certainly unfortunate for his popularity, that his person was beset by individuals, who were not restrained by any considerations of propriety from possessing themselves of whatever their personal influence could procure ; and it is equally undeniable that a strange want of feeling was evinced on different occasions towards reputable persons who were desirous of settling in the country, and who were thus obliged to expend their time and their means in Sydney to no purpose whatever. In this respect, the government of General Darling was decidedly unfavourable to emigration, and was therefore in so far unfortunate for New South Wales. At the same time, I have reason to believe that the errors of his government, on both of these points, were greatly exaggerated by interested or disappointed individuals ; and that what were trumpeted about as acts of oppression, sometimes arose from a system of management, which the

Governor had established for the public benefit, and with the details of which he could not properly interfere.

Great irregularities had certainly arisen from the operation of the system adopted in the granting of land during the government of Sir Thomas Brisbane ; for I have myself heard of the case of an individual, who, having come to the colony from the Isle of France for the recovery of his health, was induced, on hearing of the facility with which land could be obtained from the colonial government by persons newly arrived in New South Wales, to apply for a grant of two thousand acres of land ; which he accordingly received, and immediately sold to an old resident in the country, without ever having seen it himself, for the sum of five hundred pounds. He left the colony very shortly after, with his health restored, and his purse unexpectedly and very agreeably replenished.

To correct such abuses, General Darling instituted a Board of Inquiry, under the designation of the Land Board, and established certain regulations for the granting of land, shortly after his arrival in the colony. Agreeably to these regulations, land was thenceforth to be granted in proportion to the property or means of the applicant, and not to be granted to such applicant at all unless there was reason to believe that he was able and willing and likely to improve it. The operation of these regulations, which were doubtless conducive to the general welfare of the colony, may perhaps, like all other general rules of policy, have been oppressive in particular cases : but I am also able to refer to other cases, in which, on a plain and candid statement of the



circumstances of the applicant being laid before him, General Darling was induced to depart from the strict letter of his own regulations, and in which his doing so evinced equal discrimination and humanity.

An Englishman who had married a Scotchwoman in London, by whom he had an interesting family of very fine children, had arrived in the colony as an indented free servant of the Australian Agricultural Company. After about two years' service, his indenture was given up to him, and he was allowed, in the technical phrase of the colony, "to go upon his own hands." During their period of service, and especially after they had acquired their entire freedom, the industry of the husband and the economy of the wife had enabled them to accumulate a considerable sum of money—as much indeed, if I recollect aright, as two hundred pounds. After they had resided for some time in the town of Sydney, where they had settled on leaving the service of the Company, I had the honour of a visit from my virtuous countrywoman, to apprise me that her husband and herself thought they could do better for their family on a farm than by continuing to live in Sydney, and that they were accordingly desirous of obtaining a grant of land. I offered to assist them in the attainment of their object, and with this view procured one of the printed forms, with which I went on the day following to their little cottage. *There* the whole savings of the family were displayed for my inspection, in all the endless variety of coin with which the money-changers of Sydney become acquainted. After having duly ascertained the amount, I made a short statement

of the history, circumstances, and property of the family, on a blank corner of the printed form, which I attested forthwith, and forwarded to the Governor. In a very few days afterwards, and without the application being referred to the Land Board at all, the happy family received a letter, informing them that the Governor had been pleased to allow them 320 acres of land in the first instance ; on their taking possession of which they were to have 320 more, i. e. a square mile altogether.

I have reason to believe that, during General Darling's administration, more of this sort of work passed through my own hands and those of my fellow-labourer, the Rev. John M'Garvie, A.M., who was then Presbyterian Minister of the Church of Scotland at Portland Head, than fell to the lot of any two of the other clergy of the colony ; and I am happy to say, that in almost every instance we had both abundant reason to speak well of the judiciousness and humanity of General Darling.

The value of land in the interior of a colony is increased in proportion as facility is afforded for direct and frequent communication with the capital. In this respect General Darling certainly merited commendation ; rather, however, for the magnitude and extent of his undertakings than for their uniform judiciousness : for as this important branch of the public service was most preposterously made an affair of patronage, and as petty jealousies and antipathies unhappily interfered to prevent the employment of that particular kind of talent which was required for the economical and efficient discharge of the duties it implies, much public

money was expended with comparatively little benefit to the public. The road to Bathurst across the Blue Mountains was greatly improved, however, during General Darling's administration. A good road was also constructed, by the labour of convicts who had been found guilty of minor offences in the colony, to the very important settlement of Hunter's River—a distance of one hundred and thirty miles—not to mention various cross-roads in that settlement; while numerous gangs were employed in opening a permanent line of communication with the extensive pastoral country to the southward and westward, beyond the county of Argyle.

It cannot be denied, however, that in carrying into effect the sentences of the law, which consigned a portion of the prison population of the colony to hard labour on the roads, or at penal settlements, there was much unnecessary severity practised under the authority of General Darling. He had doubtless received orders from home to subject the convicts to a more rigorous discipline than the one to which they had previously been subjected: but in enforcing these orders, the convicts under colonial sentences were not unfrequently treated by his subordinate agents, who had always discernment enough to discover that severity was the order of the day, with a reckless indifference to their feelings as men, which their situation as criminals could never have warranted.

There were four remarkable epochs in the government of General Darling, each of which might almost constitute an era in the history of the colony. The first of these was the era of agricultural excitement; the

second the era of agricultural depression ; the third was the era of drought ; and the fourth the era of libels.

I. In the year 1825—so memorable for the rise and fall of numerous joint-stock companies in England—a company of that nature was established in connexion with the colony of New South Wales, by certain Members of Parliament and other gentlemen connected with the wool trade, in the city of London. It was incorporated by royal charter, under the designation of the Australian Agricultural Company ; its object being the cultivation of land in New South Wales, the rearing of fine-woolled sheep, cattle, and horses, and the general improvement of the colony. Its capital was a million sterling ; and, in consideration of its highly important objects, His Majesty's Government agreed to give it a million of acres of land free of cost, in whatever part of the territory the agents of the company might choose to select their grant. About the same period, extensive grants were also obtained by certain Members of Parliament and private gentlemen of property in England, whose agents arrived in the colony with their host of retainers, about the same time as those of the Agricultural Company, or shortly before the arrival of General Darling.

The colony was at that period in a state of progressive, but by no means rapid improvement : agricultural stock was obtainable by the free emigrant settler at a moderate rate, and agricultural produce bore a remunerating price. The first time I visited the settlement of Portland Head, in the year 1823, the old Presbyterian settler, whom I have already mentioned as



the voluntary catechist of his district from the time of its first settlement in the year 1802, accompanied me on horseback to one of the neighbouring farms on the left bank of the Hawkesbury. Observing me looking particularly at the old mare he rode, of which he was ever and anon kindly patting the neck and stroking the mane, he told me, with no small degree of complacency, that he had had her for about eighteen years, and that she had originally cost him £130 sterling. She was rather a plain-looking animal; but, in the earlier times of the colony, horses and all other kinds of agricultural stock were exceedingly high-priced. Another respectable free settler, of old standing, has told me that the first cow he purchased in the colony, shortly after his arrival in Governor King's time, cost him fifty-five guineas. In the year 1823, however, cattle and horses had fallen in price very considerably; for a good horse could then be purchased for £30 to £50 currency, or in dollars at five shillings each, a good cow for £5 to £7, and sheep in proportion. During the succeeding years of the government of Sir Thomas Brisbane, the price of agricultural stock advanced considerably in consequence of the influx of free emigrants from Great Britain, and the numerous grants of land that were then taken possession of in the districts of Hunter's River, Bathurst, and Argyle: for as these grants had all to be stocked with sheep and cattle, the old settlers found a ready and improving market for their superabundant stock among the new arrivals.

The Australian Agricultural Company commenced its operations in the colony early in the year 1826; but

these operations were too prominent in their character, and too extensive, not to have a powerful and immediate influence on a community so limited as that of New South Wales: for as cattle and sheep and horses had to be purchased for the company, wherever they could be got, the price of these descriptions of agricultural stock instantly rose rapidly throughout the colony; insomuch that cattle of colonial breeds were actually sold to the company's agent for twelve guineas, and sheep for four or five guineas sterling a-head. The extensive purchases of agricultural stock that were made about the same period for the large tracts of land granted to private individuals, doubtless contributed also in no small degree to enhance its price in the colonial market.

Those only who witnessed the infatuation of multitudes in England on the formation of the joint-stock companies of 1825, will be able to form any idea of the state of things that immediately ensued in New South Wales: for no sooner had the existence of the Agricultural Company been duly announced, and its operations commenced in right earnest, than the *sheep and cattle mania*—a species of madness undescribed by Cullen, and formerly unknown even in the colony—instantly seized on all ranks and classes of its inhabitants. We are told by the historian Thucydides, that, during the prevalence of the plague in Athens, the wretched victims of that hopeless disease were impelled by their intolerable thirst to the fountains and streams of water, around which they died in great numbers. The colonial mania I have just mentioned evinced itself

in like manner in impelling whomsoever it seized to the cattle-market; and as my own residence in Sydney for about three years after my return to the colony, in the month of January, 1826, was in the immediate vicinity of that busy scene, I had frequent opportunities of observing the congregated patients, and abundant reason to wonder how the matter would end: for barristers and attorneys; military officers of every rank, and civilians of every department; clergymen and medical men; merchants, settlers, and dealers in general, were there seen promiscuously mingled together every Thursday, and outbidding each other in the most determined manner, either in their own persons or by proxies of certified agricultural character, for the purchase of every scabbed sheep or scarecrow horse or buffalo-cow that was offered for sale in the colony. In short, it was universally allowed, that the calculations of the projectors of the Agricultural Company could not possibly be inaccurate. Their statements and reasonings were supported by arithmetical—which every person allowed were the best of all—arguments; and it was made as clear as the day-light to the comprehension of stupidity itself, that the owner of a certain number of sheep or cattle in New South Wales, must, in a certain number of years, infallibly make an independent fortune. It was consequently determined on all hands and by all sorts of persons, that the Agricultural Company should not be the only reaper of this golden harvest. The professional men and the Sydney merchants, who had become extensive sheep and cattle owners, generally employed hired overseers to manage their stock in the

interior; but there were individuals even among these classes who thought the matter too momentous to be entrusted to a deputy, and accordingly followed their purchase to the interior themselves. Nay, (and the reader will observe I do not speak at all metaphorically,) even the soldier unbuttoned his military belt to become a keeper of sheep; and the priest, reversing the ancient metamorphosis in the case of the prophet Amos, forsook his altar to become a *herdman of cattle*.

In all cases in which the purchaser had money to pay for his sheep and cattle, money was paid; but where money was not forthcoming, as was generally the case, credit was allowed if the individual was supposed to be a person of substance, and security was often tendered and accepted on the purchaser's land. One gentleman, who had a large herd of inferior cattle, got them disposed of in this way to respectable free settlers, at the rate of ten guineas a-head, with security on the purchasers' land for two years, and ten per cent interest besides on the whole amount of the purchase till its ultimate payment.

The reader may perhaps imagine that I must have been a dealer in sheep and cattle myself, to have acquired all this unclerical knowledge: I have never, however, had the honour to be the owner of a single head of either in the colony. But it was impossible to live in New South Wales at the time I allude to, without acquiring much more knowledge of this kind than was at all desirable. "Their talk," as Dr. Johnson remarks of some of his friends in the country, "was all of runts," or heifers. If an advice was given in com-



pany, it was by all means to *get into a good stock*, for *there was nothing like it*. If a difference of opinion arose, it was either whether Saxon or Merino, fine or coarse-woolled sheep were the most profitable; or whether it was advantageous to attend exclusively to the wool, or to combine with all due attention to that matter of universally acknowledged interest a proper regard to the carcase. Again and again I have had specimens of wool submitted to my own inspection by Saxon or Merino enthusiasts, who were in the habit of carrying them about with them in their pockets; and if the excuse of imperfect vision and entire inacquaintance with the subject was insufficient to relieve me from the very invidious task of deciding in a matter so much above my capacity, I was generally unfortunate in selecting a different specimen from the one which had been previously determined to be the finest. In short, the whole colonial community seemed for a considerable period to have only one idea; and this exclusive and universally predominant idea was, that of rapidly acquiring an independent fortune by the rearing of sheep and cattle.

It was not at all to be wondered at, that persons who were so speedily to be enriched beyond their highest previous expectations, should begin to speculate prematurely on their good fortune. If a matrimonial alliance with the Sultan's daughter was not projected, as in the case of the crystal-seller of Bagdad, it was at all events fitting that articles of dress, and furniture, and equipage, suitable for a consummation so devoutly to be wished, and so reasonably to be expected, should not

only be bespoke, but actually procured. Such articles were accordingly ordered, and bills were given for their due payment; and so favourable was the prospect of demand for the future, that the colonial merchants or importers were induced to order large quantities of British and other foreign goods, till their warehouses were completely filled, and till almost every article of British manufacture could be obtained in Sydney at a much cheaper rate than in London.

What might have been the ultimate issue of the *sheep and cattle mania*, had the seasons continued as favourable after the harvests of 1825 and 1826, as they had been for a long time previous, I do not know. It was evident indeed to every person of understanding, that as cattle, and sheep, and horses, must increase in a geometrical ratio, in a country so admirably adapted for the rearing of agricultural stock as New South Wales, while the population of the colony could increase only in an arithmetical ratio;—a time must arrive, sooner or later, when their numbers would so far exceed those of man, that the price of them must fall prodigiously. But although this was admitted on all hands, every purchaser persuaded himself that his own fortune at least would be made long before the price of agricultural stock could experience any considerable depression.

It pleased Divine Providence, however, to visit the colony in the midst of these speculations with a most afflictive and unprecedented drought of nearly three years' continuance; the effect of which, combined with the natural result of the *sheep and cattle mania*, was

completely to open the eyes of the colonists to their own folly and madness, to blast the golden hopes of multitudes, and to bring many respectable families to poverty and ruin. In short, the body politic of the colony had passed through a crisis of violent and unnatural excitement, which, according to the well-known maxim of Hippocrates, the father of medicine, must necessarily be followed by a corresponding crisis of unnatural depression.

II. During the years of drought, the sheep and cattle, which had been purchased so extensively in the years 1826 and 1827, increased in number very rapidly; for the native grass of New South Wales is so nutritious, that cattle especially, that are able to obtain abundance of good water, continue to thrive even in the driest seasons. A few cattle, it is true, were lost in several parts of the colony in attempting to find water where it was scarce; but the number was very inconsiderable. Indeed, some idea of the capabilities of the colony, in regard to the rearing of cattle, may be formed from the unparalleled fact, that within six months after the termination of a drought of nearly three years' continuance, butcher-meat of the very best quality could be purchased in Sydney, in quantities of not less than the half or the fourth of a carcase, at three farthings a pound—a price which was scarcely exceeded during the three following years.

During the prevalence of the drought, however, many of the settlers or landholders throughout the territory were brought into considerable difficulties from having to purchase grain at a high price for their

families and servants; for during one of the years of drought grain was imported from Van Dieman's Land and elsewhere for the internal consumption of the colony, to the amount of not less than £50,000. In the mean time, the numerous bills granted for the sheep and cattle purchased in the years 1826 and 1827 began to fall due, while the high interest (from ten to fifteen per cent) on mortgages given for the same purpose rapidly accumulated; till at length creditors became imperative in their demands for payment, being themselves generally pressed by other creditors either in the colony or in England; and debtors, who had nothing but their stock and their land to look to, found themselves suddenly and unexpectedly ruined. Month after month herds of cattle and flocks of sheep were seized and sold for the payment of the debts incurred by their original purchase; and this process was so frequently repeated, and the price of sheep and cattle consequently fell so rapidly; that when the original stock, with its whole increase during three successive years, failed to realize any thing like the amount of its original price, which very soon proved to be the case in many instances, the settler's farm was seized and sold also, and himself perhaps ultimately lodged in jail. The reader will easily conceive, that the distress and ruin which were thus experienced in all directions throughout the territory, would just be a little less extensive than the mania which had originally caused them. In short, those who had commenced with capital, found they had lost it in great measure; those who had salaries from Government, found that these salaries must in future be



appropriated for the payment of the debts which their own cupidity and infatuation had led them to contract ; and those who had neither had capital nor salaries at the first, had their property brought to the hammer, and themselves to poverty or to prison.

In the course of an excursion to the settlement of Hunter's River, for the performance of clerical duty in the month of March, 1830, I went a few miles out of my way to see an interesting and sequestered part of the country I had not previously visited, and to call on a respectable settler with whom I had previously formed some acquaintance. On my way to the settler's farm, my horse happening to prick up his ears at something he seemed to observe near the pathway, I looked in the direction to which the animal's attention was attracted, and observed two eagles in the act of killing a young kangaroo of one of the larger varieties, which it appeared they had just succeeded in hunting down. The eagles were scared at my approach, and accordingly, leaving their prey and perching themselves very leisurely on the low branches of trees almost over-head, looked down at me with as much apparent inquisitiveness and dissatisfaction as if they would have said, " Pray, sir, how came you to deprive us of our game ?" while the poor kangaroo, which had only been stunned or slightly wounded, instantly sprung up, and bounded off with prodigious leaps down the valley. The species of hunt which I had thus unconsciously interrupted is always managed by two eagles in concert, the one of which continues from time to time to fly at the kangaroo's face till the poor animal becomes confused ;

while the other is ready, whenever it stands still, to pounce upon its head, and sink his talons into its brain.

On my arrival at the settler's residence, I was gratified to find him at home, and to experience a very cordial welcome. His house was well enough for the *bush*, as the country is generally termed in the colony—half-shingled and half-covered with bark. The furniture was rude in the highest degree; but the plain and substantial repast, of which I was invited to partake before resuming my journey, was all the produce of the farm, and was accompanied with a sort of seasoning which is not always to be had in the colony—I mean genuine *Attic salt*: for the settler, having received a liberal education in his youth, quoted in the course of my short visit a well-known Greek epigram, which the classical reader will doubtless recollect, and the subject of which was the circumstance of the statue of Victory in the Senate-House of Rome being accidentally despoiled of its wings. I was sorry to find in the course of my visit that the quotation was capable of a personal reference to the settler himself, as the following circumstances, which he told me ere I took my leave of him, will probably enable the reader to discover.

In the year 1826, his stock of sheep and cattle was very considerable for the colony, and quite sufficient, if he had only been content with it, to have rendered him completely independent: but being seized, like many around him, with the colonial mania, he had purchased a number of heifers at £10 each on credit for two years, ten per cent interest being payable on the whole amount of his purchase till the final payment of the principal.

At the time he made the bargain, he was given to understand, that if it were not convenient for him to pay the money on its becoming due, he should be allowed to retain it during his pleasure at the same rate of interest as before. The creditor, however, being probably tempted by the prospect of obtaining a higher interest for his money, put his bills into the hands of a lawyer, and authorized him to demand payment. It was not convenient for the settler to pay the bills, but, having sheep and cattle in great numbers, he was obliged to sacrifice them to meet the demand of his creditor. In fact, his cattle, to the number of four hundred, were actually collected in his stock-yard at the time I reached his farm, and himself and one of his servants had been making preparations to drive two hundred of them over the mountains to Sydney—a distance of about two hundred miles, by the circuitous route they had to travel—on the following morning. “They are M.’s breed,” he observed; “they will at all events fetch two pounds a head, and that will set me up again.”

I left Hunter’s River next morning also to return to Sydney by a shorter route; and on my solitary journey of three days across the mountains I met with another incident, which the reader will doubtless excuse me for relating, as it illustrates the scenes and circumstances of travelling in Australia. I was trotting along the side of a hill, when a black snake of upwards of four feet in length, which had been basking in the sun on the bare foot-path—for such was the only road at the time for a considerable distance among the mountains—sprang out

from among my horse's feet and tried to escape. As it is considered a matter of duty in the colony to kill an animal of this kind, when it can be done without danger or inconvenience, I immediately dismounted, and, breaking off a twig from a bush, pursued and wounded the venomous reptile. I had struck it across the back a few inches from the head: it immediately turned itself round, and glared fiercely with its little dark eyes, while the portion of its body between the wound and the head instantly swelled to thrice its usual thickness. Finding itself, however, unable to spring at me, it tried again to escape, when I easily despatched it with a few additional strokes. It is usual in such cases to leave the animal extended, as a sort of trophy, across the footpath, to inform the next traveller that the country has been cleared of another nuisance, and to remind him perhaps of his own duty to do all that in him lies to clear it of every remaining nuisance; that it may become a goodly and a pleasant land, in which there shall be nothing left to hurt or to destroy.\*

It was many weeks after my return to Sydney ere I

\* I was so much gratified, a few days after the occurrence of the incident I have related, at accidentally observing the following beautiful and most accurate description of the appearances the snake exhibited when half-dead, that I shall take the liberty to subjoin it:—

Qualis sæpe viæ deprensus in aggere serpens,  
 Ærea quem obliquum rota transiit; aut gravis ictu  
 Seminecem liquit saxo lacerumque viator;  
 Nequicquam longos fugiens dat corpore tortus,  
 Parte ferox, ardensque oculis, et sibila colla  
 Arduus attollens; pars vulnere clauda retentat  
 Nexantem nodos, seque in sua membra plicantem.

VIRG. *Æneid*, v, 273.



heard any thing more of the Hunter's River settler. There had been a flood on the Hawkesbury during his journey, which had greatly retarded his arrival in Sydney : cattle had been falling in price in the mean time every day ; and I was truly sorry to learn, that when his large herd was ultimately brought to the hammer, and all the expenses of the sale discharged, they had realized only *twelve shillings and sixpence each*. The settler's farm was afterwards sold by the sheriff.

I have no hesitation in stating it as my belief, that the colony of New South Wales was indebted, in great measure, for this calamitous state of its affairs, to the establishment of the Australian Agricultural Company ; which, in thus incidentally occasioning the ruin of many respectable and hopeful families and individuals throughout the territory, was productive of a hundred-fold more harm to the colony, than any advantage it is ever likely to derive from the future operations of that company will counterbalance. The influx of free emigrants during the government of General Darling was inconsiderable when compared with the numbers that arrived during the administration of Sir Thomas Brisbane ; and there were sheep and cattle enough in the colony, at the close of Sir Thomas Brisbane's administration, to have enabled all these emigrants to have stocked their farms sufficiently at a very moderate price. Had this been done, therefore, and had the progress and prosperity of the colony not been violently interfered with from without, there were few settlers comparatively who would not have passed through the years of drought with but little inconvenience ; for that

calamity was greatly aggravated by a direct consequence of the *sheep and cattle mania*, which I shall mention more particularly in the sequel, and which would otherwise never have occurred—a general inattention to agriculture throughout the territory. But this salutary and natural order of things was unhappily interrupted: for, when the agent of the Australian Agricultural Company suddenly appeared in the colony with a million sterling in his pockets to purchase all the sheep, and cattle, and horses in the country, a nominal and imaginary value was given for a short period to all property of that particular description, and the colonists were in consequence completely infatuated for a season. Extensive ruin, however, was the natural result of the subsequent reaction.

I shall perhaps be told, that as the money so unprofitably embarked in the purchase of sheep and cattle was all expended in the colony, it was of little consequence, as far as the general welfare of the colony was concerned, into whose hands it eventually passed: but it does constitute a material difference to a country so peculiarly situated as New South Wales, whether the landed property it comprises shall be subdivided into estates of moderate extent, held and cultivated by resident and respectable proprietors, or form vast wildernesses in the hands of grasping monopolists and usurious money-lenders. It does constitute a material difference to a country so peculiarly situated, whether the resources of a large proportion of its most respectable inhabitants shall be expended in giving their offspring a liberal education, in improving their lands,

and in diffusing happiness in their respective vicinities, or be employed in fattening a daily increasing host of rapacious lawyers.

The Company's extensive grant was selected by Mr. Dawson, their agent in the colony; and the late Mr. Oxley, Surveyor-General of New South Wales. The locality fixed upon was the neighbourhood of Port Stephens to the northward of Hunter's River, where a large agricultural and grazing establishment was of course speedily formed; a considerable number of clerks, superintendents, and indented servants having been carried out for that purpose from England. But the Company naturally experienced the consequences of the rapid rise and the equally rapid fall of agricultural property, of which its own establishment was the primary cause; and the speculation of course did not succeed to the expectation of its projectors. Besides, many of the sheep contracted disease and died, and charges of gross mismanagement were in consequence preferred by the resident Colonial Committee against the agent, who was accused in particular of having made a hasty and improper selection of the Company's land, and of having placed the sheep on unwholesome pasture. The result was Mr. Dawson's dismissal, and a very general opinion that the Company's affairs had been ill-managed, and were by no means in a prosperous condition. Sir Edward Parry, the celebrated Polar navigator, was subsequently appointed by the Directors Resident Commissioner for the Company for the period of four years, with a salary of £2000 per annum, and an annuity of £300 on the expiration of his engagement.

The Company were authorized, moreover, through their powerful influence at Downing Street, (no such permission being ever granted to private individuals,) to make a second selection, of 600,000 acres of their land in a different and more eligible situation; which was accordingly made by Sir Edward on their behalf in the district of Liverpool Plains and on the banks of Peel's river—open pastoral tracts of country, of great beauty and extent, intervening between the sources of the Hunter and the River Hastings to the northward of Port Jackson.

Agricultural settlements have been formed on the Company's estate at Carrington and Stroud, near Port Stephens, and sheep-stations at Peel's River and Liverpool Plains; all of which, I have uniformly been given to understand were judiciously managed, during the whole period of his engagement, by Sir Edward Parry. Complaints, I am sorry to state, were repeatedly made against that distinguished officer, both in the colony and in England, for harsh and arbitrary procedure, in dismissing, on apparently frivolous grounds, two gentlemen of the Company's establishment, both of whom had been appointed in England with considerable salaries—the one as an accountant, and the other as an agriculturist—and both of whom had large families. I am not sufficiently acquainted with the facts in these cases to offer any opinion of my own on the subject: but that a disposition to arbitrary procedure does exist on the part of the celebrated Polar navigator, I confess I suspect; for I have seen certain of his general orders to the inferior officers of the Company's establishment, which



had more the resemblance of a Russian manifesto for the Duchy of Warsaw, than the orders of a superintendent of a joint-stock company's farm.

Since the return of Sir Edward Parry to England in the year 1834, the Company's estate has been under the management of Lieutenant-Colonel Dumaresq—a brother-in-law of Sir Ralph Darling—as resident commissioner, at a salary of £700 per annum. The Company have now about forty thousand fine-wooled sheep, with cattle and horses in proportion; and the speculation, to use the mercantile phrase, is now beginning *to answer*. It will be a splendid affair for the proprietors in a few years hence.

Any person, however, at all interested in the moral welfare and the general advancement of the colony of New South Wales, will scarcely fail to regard the establishment and continued existence of this mammoth Company with sincere regret, and will naturally feel grateful to the present Whig administration for having put it completely out of the power of any future ministry to effect such Tory jobs in the Australian Colonies hereafter, by entirely discontinuing the practice of granting waste land in these colonies, and by ordering that all such land shall in future be sold by public auction, and the proceeds devoted to the encouragement and promotion of emigration. A considerable portion of the Company's land at Liverpool Plains and Peel's River would, if sold on these terms, in the present comparatively advanced and prosperous state of the colony, fetch ten shillings per acre; but supposing that the whole grant were now to be sold by the Government at the minimum

price, it would at all events realize £250,000, which, at the rate of £30 for each family—the bounty on emigration, allowed from the land revenue by the government of New South Wales—would be sufficient to import into the colony eight thousand three hundred and thirty-three virtuous and industrious families from Great Britain and Ireland. And what service, I ask, has the Australian Agricultural Company—the result and offspring of an egregious Tory job—ever yet rendered, or is likely to render, the colony of New South Wales, in comparison with the results which would thus have ensued from the earlier prevalence and adoption of the principles of Whig policy?

On receiving their charter, the Company expressed their intention of introducing into the colony numerous free emigrants of superior qualifications, not only from the mother country, but from the continent of Europe. But what is the fact? Why, as a mere Presbyterian minister, humbly endeavouring to promote the intellectual, the moral, and the spiritual welfare of my adopted country, I have myself been the means of introducing and settling in the colonial territory, a larger number of individuals—men, women, and children—than the London Company have done during the last ten years, with all their parliamentary influence, with all their capital, and with all their land! And notwithstanding their professed intentions to promote the moral and religious interests, not merely of the European inhabitants of their estate, but of the wretched Aborigines of the territory, they had actually been about eight years in possession of that estate,—during

the whole of which period they had many free, and many more convict servants in their employment—and had expended nearly a quarter of a million sterling in their agricultural and grazing operations, before ever a Sabbath bell was heard on their land, or any rational effort made to provide their establishment with the regular dispensation of the ordinances of religion. Sir Edward Parry engaged a missionary of the Independent connexion, whom he found accidentally in the colony, to perform divine service at the Company's settlements during the latter part of the stipulated period of his own engagement in New South Wales; but it was not till the year 1836, that is, ten years after the Company had taken possession of their grant, that the Rev. Macquarie Cowper, a native of New South Wales, who had been educated and ordained as an episcopal clergyman in England, arrived in the colony to undertake the spiritual charge of their extensive establishment. If in such circumstances the Company's indented servants proved, as they actually did, in not a few instances, unfaithful and unworthy characters, who, I ask, is to blame?

It was doubtless wrong, in the first instance, for the Australian Agricultural Company to enter into the field of competition with the private agriculturists and graziers of New South Wales; for the proper and legitimate object of any chartered company either is, or ought to be, doing something of importance to the community, which cannot be done either so fully or so well by individuals. If, for instance, the Australian Agricultural Company had been merely a Land Company, like

those of British America, and if in that capacity they had been bound by the Government, as they ought unquestionably to have been, to introduce into the colony a certain number of useful emigrants, of the classes of mechanics and agriculturists, proportioned to the estimated value of their grant;—they would have rendered an essential service to the country by doing that which individuals could not accomplish, while, in all likelihood, they would have greatly benefited themselves. It is not too late, however, for the Directors to combine this really praiseworthy object with their present agricultural and grazing speculations; and as my only object in these remarks is the good of the colony, I trust they will, ere long, be induced to do so, on the ground of private interest as well as on that of public obligation: for, as it cannot be supposed, that such extensive concerns as the Company's flocks and herds are likely to become in a few years hence, can possibly be managed profitably by a joint stock corporation, it will be good policy on the part of the Company, while it would doubtless be conferring a real service on the colony, to carry out a number of virtuous and industrious free emigrants both from the mother country and from the south of Europe, to be settled on a suitable portion of their estate, on condition of their subsequently paying, by instalments, both for their passage-out and for their allotments of land.

III. The third remarkable era in the government of General Darling was the era of drought. For three successive years during the government of Sir Ralph Darling the usual supply of rain was in great measure



withheld from the colony, insomuch that, in the emphatic language of Scripture, *the heavens became as brass, and the earth as iron*. An entire failure of the crop in some districts, and a partial failure in others, were the necessary consequences of so direful a calamity; while the pasture-grounds presented in general the aspect of a beaten highway, and the cattle were reduced to extremities from the scarcity of water. So remarkable a feature in the meteorology of a country, of the physical constitution of which so little is accurately known, might well induce suspicion in regard to the eligibility of that country as a place for the residence of intending emigrants, if left wholly unexplained. I deem it expedient, therefore, to make a few remarks on the subject; chiefly to satisfy the reader, that the calamity with which the colony was thus so extensively afflicted during the government of General Darling, may reasonably be supposed of very unfrequent occurrence; and that although it doubtless arose from the visitation of God, it was greatly aggravated by the folly and infatuation of man.

My brother, Mr. Andrew Lang, has a farm or estate of two thousand four hundred acres on the Yimmang or Patterson's River, a few miles from its junction with the Hunter, in the principal agricultural district of the colony: it is partly intersected by a picturesque lagoon of a mile and a quarter in length, which, on the district being first settled, was eighteen feet deep at the one end of it, though considerably shallower at the other. The first time I visited Hunter's River, in the year 1827, the bed of this lagoon was full of water, and I had one

day the curiosity to borrow the little bark-canoe of a black native whom I found fishing *in puris naturalibus* on its bank, to ascertain the comparative conveniences of aboriginal navigation.\* For nearly two years, however, during the prevalence of the drought, it was completely dry, and part of its rich alluvial bed was planted with tobacco, which grew most luxuriantly; and with maize or Indian corn, the produce of which was at the rate of eighty bushels an acre. It occurred to me at the time, that this circumstance might afford a cue to ascertain the period at which the last drought of equal severity had occurred in the country, and I therefore suggested to my brother to make inquiries on the subject of the older and more intelligent aborigines of the district. He did so accordingly; and they uniformly stated in reply, that they had never seen the lagoon dry before, but that their fathers had told them that they had seen it dry once. A drought, therefore, of equal severity with the one experienced in the colony during the government of General Darling, does not occur, we may reasonably suppose, oftener than once in fifty years.

The afflictive character of the drought, however, was greatly increased by the imprudence of the settlers themselves; many of whom, conceiving that agriculture was beneath the notice of those who were so speedily to make their fortunes by the rearing of sheep and cattle, chose rather to run the risk of buying wheat for

\* The first or rudest ship does not appear to have been a tree hollowed out, agreeably to the ancient Roman adage, *Prima navis fuit cavata arbor*: in all probability it was a bark-canoe.

their families and convict-servants, than incur the trouble and expense of growing it. The result was, that there were far more buyers of wheat in the country than there ought to have been; and that many had to purchase grain imported from Van Dieman's Land, who might have grown it, partially at least, themselves.

Calamitous though it was, however, the drought was only partial, whole districts having either entirely or in great measure escaped its influence. It was much less felt, for instance, in the county of Argyle, to the southward and westward, than in the lowlands or earlier settled districts of the colony. In the lower parts of the settlement of Hunter's River, or on what the Americans would call the sea-board, it was by no means so severe as at a greater distance from the coast: and in Illawarra, an extensive and highly fertile district about fifty miles to the southward of Port Jackson, the few settlers who had cultivated grain in any quantity never lost a crop. Such also, I have ascertained, was the case at the settlements of Port Macquarie and Moreton Bay, to the northward; the former of which, containing a large extent of alluvial land on the banks of the river Hastings, has for six or seven years past been discontinued as a place of punishment, and occupied by free settlers: and I may add, moreover, that at Patrick's Plains, an extensive tract of uncommonly fertile land on Hunter's River, naturally destitute of timber, where the crop was nearly all destroyed in the year 1828, a good crop was reaped in the first year of the drought. In short, common industry and common precaution will always secure the

colony, even in a series of seasons as unfavourable as those of the long drought during the administration of General Darling, from the calamities arising from a scarcity of grain; for, although the crop should entirely fail in one district, it is likely to prove abundant in others.

In the year 1828, the second year of the drought, the failure of the crop in the upper parts of Hunter's River, and in certain other districts of the territory, was not attributable to the drought at all, but to blighting north-westerly winds. In the course of that season, when the settlers had a second time begun to despair of their crops, there was a copious and seasonable fall of rain, the almost instantaneous effect of which on the vegetation of the country was truly astonishing. The wheat crop immediately revived, and hopes were universally entertained of an abundant harvest. Just, however, as the wheat had got into ear, a north-westerly wind, blowing as if from the mouth of a furnace, swept across the country, and in one hour destroyed many hundred acres of highly promising wheat. As I had occasion to visit the district of Hunter's River in the discharge of clerical duty, immediately after this calamitous visitation, I made a few cursory observations on the subject, which on my return to Sydney I embodied in a paper, of which the following is an extract :—

“ The disease called *the blight* undoubtedly arises from the north-westerly winds, which occasionally blow from the arid regions of the interior of this continental island, and exert a most destructive influence on vegetation of every description wherever they extend.



These winds prevail to a greater or less degree every season; but it is only in particular seasons, like the present, when, from causes unknown to us, they acquire a higher temperature, and blow for longer periods and with greater violence than in ordinary seasons, that they prove fatal to vegetation, and blast the hopes of the husbandman: and this result will doubtless be accelerated, if, as unfortunately happened this season, the vegetation is of that peculiar character which it uniformly acquires in a warm climate, when heavy rain succeeds a long continuance of drought.

\* \* \* \* \*

“ Let the settler therefore, when about to clear land for cultivation, endeavour to select land having a southeasterly aspect; or, if that is impracticable, let him leave a pretty broad belt of trees at the north-western extremity of his cultivated land. If both of these objects can be attained, so much the better. Even a common rail-fence running in a transverse direction to that of the blighting winds, will break their force to such a degree, as to leave a narrow stripe of healthy wheat on the leeward side of it, while the rest of the field is entirely blighted. This is particularly observable on Patrick's Plains: nay, it is remarkable also, that, in such exposed situations, the growth in the furrows and along the edges of the furrows is the only part of the crop that is worth reaping, the greater elevation of the rest protecting it from the direct influence of the winds. For a similar reason, the Cape or bearded wheat is found to be less subject to blight than any other.

variety of that grain, the line of spears which surround the ear breaking the force of the wind, and preventing it from reaching the grain in an unbroken stream. It was on this principle that Sir Humphrey Davy constructed his famous safety-lamp, which consists merely of a net-work of wire enveloping a common lamp; for although the meshes are pretty large, the intervention of the wire prevents the inflammable air from reaching the flame in an unbroken stream, and thereby prevents explosion. For the very opposite reason, the creeping wheat, which is remarkably thin-skinned, and is prized on account of its greater weight and superior quality, is more subject to blight than other varieties of that grain.

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“ Although the north-westerly winds have prevailed for a considerable time past along the whole extent of Hunter’s River, as well as along the first and second branches of that river, it is obvious, from the present state both of the pasturage and of the crops in the lower part of its course, that their destructive influence has not been felt, or has been felt only in a very small degree, in that vicinity. It appears therefore, that in that part of the district the blighting influence of the N.W. winds is almost entirely counteracted by the proximity of the ocean, and the consequent diminution of temperature which that proximity must occasion. This result, however, is not produced by the mere mechanical effect of the sea-breeze, which generally alternates with the land wind along this coast during the summer months; for when the north-west wind

blows with sufficient violence to occasion blight in the interior, there is no sea-breeze on the coast: but the ocean not only cools the atmosphere above itself, but refrigerates the air, counteracts the noxious influence of the land wind, and promotes vegetation to the distance of about twenty-five miles on the coast. If it should be asked however, why the districts of Bathurst and Argyle are less subject to blight than the upper parts of Hunter's River,—it may be stated in reply, that the Argyle country is two degrees farther to the southward, and consists in great measure of elevated table-land, situated within a moderate distance of the coast. The plain of Bathurst, on the other hand, is two thousand feet above the level of the sea, while the upper part of the district of Hunter's River is almost on a level with the ocean. Now, it is perfectly obvious, that at so great an elevation the atmosphere must be much less dense than on lower levels, and consequently much less pernicious to vegetation when heated to a high degree.

“ From these premises we may infer that cultivation in this colony ought to be confined in a great measure to what the Americans call the sea-board, or to elevated table-land in the interior: and we have reason to congratulate ourselves that there is a sufficiency of excellent arable land on the lower parts of Hunter's River and the other rivers to the northward, to afford the requisite supply of grain to a very large population, without taking into account the banks of the Hawkesbury and the highly fertile district of Illawarra, in which the wheat crop has never yet failed. Let the land, therefore, in these localities be thrown into cultivation as ex-

tensively as possible, and the prevalence of blight in the interior will be much less severely felt by the colony at large, than it is likely to be in other circumstances.

*“Sydney, 21st Nov., 1828.”*

IV. The fourth remarkable era in the government of General Darling was the era of libels.

About a year after Sir Ralph Darling arrived in the colony, a worthless soldier of the 57th regiment, of the name of Thompson, wishing, it seems, to get quit of the service, and conceiving that the situation of a convict in New South Wales was in some respects superior to his own, persuaded another soldier of the same regiment of the name of Sudds—a peaceable, well-behaved man, but unfortunately not of sufficient firmness to resist the insidious influence of his comrade’s bad advice—to join with him in the commission of a felony, for the express purpose of being dismissed the service. They accordingly went in company to the shop of a dealer in Sydney, on pretence of intending to purchase some article, and contrived to steal a piece of cloth, which they immediately cut in two, each secreting a part of it about his person: but the theft was designedly so very awkwardly managed, that its perpetrators were instantly detected, and delivered over to the civil power. They were accordingly tried, convicted, and sentenced to transportation to a penal settlement—Moreton Bay or Norfolk Island—for seven years.

In the course of the trial the object and design of the theft were ascertained beyond the possibility of doubt,



and the case accordingly assumed in the eye of the Governor a very different character from that of a common case of theft. The thieves were soldiers in His Majesty's service, and they had taken up the intolerable and highly dangerous idea, that the situation of a soldier was worse than that of a convict or transported felon: nay, acting on this idea, they had not only deserted His Majesty's service, which they were paid, and maintained, and sworn to uphold; but had actually made common cause and identified themselves with those very disturbers of the public peace, from whose vicious propensities or actual violence they were bound to protect his Majesty's subjects. In short, their example, in so far as it was likely to be contagious, was evidently highly dangerous to the peace and good government of the colony; and the Governor therefore, who in common with all other governors of British colonies is authorized to provide for all such extreme cases as involve the very existence of the government to the best of his own judgment, conceived this was just such a case. Whether he may not have attached too much importance to the case, or whether he may not have magnified the danger that was likely to accrue from it, if treated in the ordinary way, it is unnecessary to inquire.

With a view, therefore, to obviate the evils apprehended, the Governor, in his capacity of Lieutenant-General and Commander of the Forces, issued a general order, in virtue of which the two soldiers were taken out of the hands of the civil power, and brought, on a day appointed, to the barrack-square in Sydney, where

their crime was publicly announced to all the other soldiers in garrison; their sentence of transportation to a penal settlement for seven years was declared to be commuted into that of hard labour in irons on the roads of the colony for the same period,—doubtless that they might be occasionally seen by other soldiers in going to and from their places of detachment in the interior; and it was formally announced to them, that at the expiration of their period of sentence they should return to the regiment and serve in the ranks as before. Immediately after they were publicly stripped of their uniform, and arrayed in the dress of convicts; iron collars of considerable weight, prepared expressly for the purpose, with projecting iron spikes and chains of the same metal attached to fetters for the legs,—such it seems as are used in the Isle of France or the West Indies for the punishment or confinement of runaway negroes,\*—were affixed to their necks; and they

\* The device of the iron-collars has hitherto been uniformly represented as a thing previously unheard of in New South Wales, and as evincing the peculiarly inhuman disposition of General Darling. What will be thought of the following sentence of a bench of magistrates *in the town of Sydney* in the year 1807, from which it appears that *iron collars* had been in use in the colony, as an aggravation of punishment, not less than twenty years previous to the case of Sudds and Thompson?

“Thomas Prosser, Robert Matthews, Patrick Mitchell, Tristram Moore, Patrick Galvin, Wm. Saunders, Francis Allen, convicts, are charged with absconding from the settlement; and Wm. Blake, a free-man, charged with aiding and assisting the above-named prisoners at absconding as above stated.

“The charges above stated being read to the several prisoners, and to Wm. Blake, the freeman, they acknowledge themselves guilty of the respective crimes they are charged with.

“The bench of Magistrates, finding them guilty of a breach of the

were drummed out of the regiment with the Rogue's March to the common jail.

All this procedure, in so far as it was evidently an interference with the due course of law, was, according to all the approved maxims of British jurisprudence, undoubtedly illegal and indefensible. Whether there was a case of urgent necessity to justify it on any ground,—whether the peace and good government of the colony would have been endangered by adopting the ordinary course of procedure,—that is the question; and it is one on which there was room for a difference of opinion. For my own part, even although there had actually been such a case as I have shown the Governor supposed there was, I should have been disposed to say, “Let the law have its due course.” At the same time, as punishment is intended not merely for the correction of the offender, but as a means of deterring others from imitating his pernicious example, it was the part of a good Governor to consider how he could render the punishment of the two culprits in the case in

colonial regulations of the 18th of November, 1800, do sentence Matthews, as a principal, to receive one thousand lashes; Moore, Galvin, and Saunders, five hundred lashes; Francis Allen, to hard labour, *with an iron collar*, at Newcastle; Wm. Blake, free from servitude, two hundred lashes, and three years' hard labour; Thomas Prosser, emancipated, two hundred lashes, and three years' hard labour; and Patrick Mitchell, two hundred lashes, and three years' hard labour, and to work in the jail gang until farther orders.

(Signed)

RICHARD ATKINS,  
JOHN HARRIS,  
THOMAS JAMIESON.”

*Proceedings of a Bench of Magistrates in Sydney.* Vide “Colonel John-son's Trial,” p. 333.

question effectual, in the most extensive manner, in preventing the recurrence of their crime : and if in doing so he made the punishment extremely degrading on the one hand, and unfeelingly severe on the other, such a result could only have arisen from an error of judgment ; for it was absolutely incredible that in such a case personal feeling could exist, or that the Governor could have had any other object in view than the public good. This was indeed so generally acknowledged throughout the colony at the time when the circumstance occurred, that if no extraordinary and unexpected result had ensued, the anomalous character of the punishment would neither have been discovered nor complained of ; for even the able Opposition paper of the day admitted that the offence of the soldiers was a serious and dangerous offence, and one that required extraordinary treatment.

The man Sudds, however, was labouring at the time under some chronic affection of the liver, which had been unfortunately overlooked, through inattention, I believe, on the part of the medical officer of the jail ; and which, if reported to the Governor beforehand, would in all probability have prevented the man's exposure to the scenes of the barrack-square. But the public disgrace to which he had been subjected in the presence of all his former comrades, and his exposure in a state of bodily illness to the heat of a burning sun, the utter disappointment of the hopes which his wicked associate had led him to entertain, and the miserable prospect that lay before him—all these circumstances operating in conjunction with his hepatic affection, and doubtless considerably aggravated by the action of his



iron collar,—immediately plunged the wretched man into a state of hopeless despondency, in which he was at length removed from the jail to the general hospital, where he died in a few days.

This was a most unfortunate and a most unlooked-for termination of the case of the two soldiers : still, however, as it was evident to all parties that there was no ground whatever for the imputation of improper motives; if a fair statement of the case, such as I have attempted to give, had been indirectly given on the part of the Government—admitting the error of judgment which evil-disposed persons were now beginning to discover, and lamenting the unfortunate and unforeseen issue of the affair,—the matter would very soon have been forgotten, and disaffection itself would have been entirely disarmed.

General Darling, however, was peculiarly unfortunate at the time in question in having a supporter, forsooth, in the person of the late Mr. Robert Howe, editor of the “Sydney Gazette.” This redoubtable champion of the colonial government, in a spirit of infatuation which I have never seen equalled in the whole course of my life, listened with the utmost eagerness to the first murmurs of disapprobation ; and not only commenced a regular defence of the measures adopted by the colonial government in the case of the two soldiers, and held them forth to the colony as highly proper and praiseworthy, but ever and anon launched forth whole paragraphs of the most provoking and unprovoked personal vituperation at the heads of all and sundry who presumed to think or speak or write otherwise.

This was more than human nature unaided by Divine

grace could be expected to endure ; and accordingly Dr. Wardell, a colonial barrister of eminent talent, who was then the editor of the "Australian" newspaper, and whose frail nature had evidently no such supernatural assistance, gradually discovered more and more illegality, and more and more enormity in the Governor's procedure, till he came at length to write of it in a style and manner to the last degree unjustifiable and unbecoming. The "Australian" newspaper subsequently passed into other hands of far inferior ability ; in which, however, its lack of talent was abundantly compensated by the plenitude and the depth of its vituperation. The "Sydney Gazette" happened also to fall into the hands of other editors, who in this particular inherited the principles and followed the steps of their predecessor : and the "Monitor," a third colonial newspaper, conducted on the radical principles and as much as possible in the vituperative style of Mr. Cobbett, appeared in the mean time on the colonial carpet, and, summoning the whole prison population to contemplate the contest, fiercely threw down the gauntlet of opposition. On this high and dignified arena, where "Greek met Greek," forsooth, the case of Sudds and Thompson continued, during the last four years of General Darling's administration, to afford an inexhaustible subject for the display of every thing but argument and ability, and the common proprieties of literary warfare : it constituted the dead weight of every paragraph and the burden of every song. The Governor was defended, forsooth, and bepraised on the one hand with all the nauseating fulsomeness of

literary prostitution ;\* he was attacked on the other with absolute and incessant scurrility. If he had been an angel of light, and if his government had transformed the colony from a frightful solitude to a blooming Eden, stronger language of commendation relative to his person and government could not possibly have been used, than that which one department of the colonial press most absurdly and most perseveringly employed in his praise : if he had been a murderer and a parricide—if his government had reduced the colony from a paradise to a pandemonium, he could not have been spoken of in more vile and opprobrious language, than other departments of that press used respecting him ; nor could more strenuous and unremitting efforts have been made to bring his person and his administration into utter contempt.

From the preceding statement, it will doubtless appear sufficiently obvious, that General Darling was himself greatly to blame in reference to this undignified contest. It was the "Sydney Gazette" that originated and provoked the discussion ; and as that paper was virtually paid by the government during General Darling's administration, being supported in great measure by government patronage, it was fully in the Governor's power to have commanded silence in that quarter, on a subject on which silence alone could have been expressive of his praise. But as General Darling lacked magnanimity in the first instance to disclaim the attri-

\* "He that has flattery ready for all whom the vicissitudes of the world happen to exalt, must be scorned as a prostituted mind."—*Johnson's Life of Waller.*

bute of infallibility, by not allowing it to be even hinted that he could possibly err ; so he afterwards lacked discernment to perceive that unmerited commendation was only censure of the worst species in disguise : and in reference to the scenes of crimination and recrimination that ensued in the public press of the colony, it cannot be denied that if the Governor had good reason to complain, as he did so loudly in the sequel, that the Opposition papers had given him many ungentlemanly knocks, their editors could retort that he had himself dealt the first vulgar blow.

One of the first acts of the present Governor, Major-General Sir Richard Bourke, was to disclaim every sort of connexion with the colonial press, by causing a Government Gazette, for government advertisements exclusively, to be published weekly, and by offering the whole of the government printing to the lowest bidder. It was an act of the wisest policy, and one in which Sir Richard Bourke has doubtless consulted his own peace of mind, as well as the general welfare of the colony ; for nothing could possibly be more thoroughly subversive both of public tranquillity and of domestic enjoyment, than the system pursued, in reference to the colonial newspapers, during the government of his predecessor.

The impolicy of General Darling's procedure, in regard to the newspapers of the colony, amounted almost, in some instances, to a want of common sense. Mr. Edward Smith Hall, the editor of the "Monitor," had arrived in New South Wales as a free emigrant during the government of Major-General Macquarie ; and,



besides having universally borne an unblemished private character, he had deserved well of the colony in having reared a numerous and virtuous family : his property was by no means extensive, and, like that of most proprietors in the colony, it consisted chiefly of land and cattle. In the genial climate of New South Wales, the latter increase at a rate quite unparalleled in Europe; and the proprietor of a moderate extent of land is therefore obliged, in the course of a few years after he has formed his settlement in the forest, to look beyond the boundaries of his own property for fresh pasture for his rapidly increasing herds. To meet cases of this description, General Darling had very properly allowed proprietors to rent extensive tracts of unlocated crown land, for periods of six or twelve months, at the rate of two shillings and sixpence per annum for every hundred acres; but on Mr. Hall's applying for a lease of this kind, it was peremptorily refused; and, on asking the reason why, he was told that the circumstance of his being the editor of the "Monitor" was a sufficient reason to disentitle him to any indulgence from the government. I have been told, (for I was not in the habit of reading the "Monitor" at the time,) that Mr. Hall had been rather moderate in his opposition up to this period; but whether he had been so or not, it was just the time for the Governor to have disarmed that Opposition of its virulence for the future, by doing him an act of common justice, if not of generosity.

This act of egregious impolicy was followed up by another, which had much the appearance of vindictive-

ness. Mr. Hall had a convict compositor in his employment, who had been assigned to him agreeably to the government regulations ; but, in contrariety to the uniform practice in such cases, the man was *resumed* by the government ; for this was the word made use of on the occasion, to designate an act, which up to that period had no distinctive name in the colony, from its having been previously unpractised and unknown.

When a Government condescends in this manner to enter the lists with a private individual, that individual immediately acquires a notoriety, and assumes an importance in the estimation of the public, which his own native energies could never have procured him. I doubt much whether Mr. Hall's paper had sufficient buoyancy to have kept it above water till the close of General Darling's administration, had he not been enabled to do so by the Governor : for when a general in the army stoops to place himself in the attitude of a boxer, who is there so devoid of curiosity as not to be desirous of witnessing the fight ?

It was unfortunate, however, for the colonial public, that the Opposition papers of the colony, during the government of General Darling, were by no means distinguished for that scrupulous regard to truth, without which no person can merit the confidence of the public. There was a rabid desire to publish whatever had a tendency to bring either the Governor, or persons in any way connected with the government, into general disfavour ; and information of this kind was accordingly received with the utmost eagerness, and often without the least regard to the character of the quarter from

which it came. It fared, therefore, with the Opposition editors as it did with the shepherd-boy in the fable, who was perpetually bawling out "*a wolf! a wolf!*"—they lost the confidence of persons of moderate principles, and were consequently left with but slight sympathy to the difficulties of their situation: in short, the wolf came, but nobody turned out.

At the same time, it must be confessed, that the feverish condition of the body politic of the colony, induced, during the latter part of General Darling's administration, through His Excellency's perpetual and unmanly squabbles with a contemptible press, necessarily produced a state of general suspicion and distrust in the community at large; insomuch that a man could neither converse openly nor dine with persons on the list of the proscribed, without indulging the fear of its being reported to his disadvantage at Government House. Nay, a remarkably good-natured old gentleman, whose political opinions, on any subject at all interesting to the fate of nations, no person of the least discernment would even have thought it of importance to ascertain, actually shot himself, because he found he had incurred the Governor's displeasure through his acceptance, on some occasion or other, of radical hospitality.

It would be a great mistake to estimate newspaper-writers in general, but especially in the colonies, on any other principles than those that regulate the practice of persons in other lines of business, the whole and the sole object of which is to make money. People do not go to the colonies merely to preach up liberty and the

rights of men: they go, for the most part, as it is most accurately certified in the custom-house books, *to better their fortunes*. If this paramount object can be gained through government patronage or a government appointment, *Things as they are* is their motto, and servile adulation of the powers that be their profitable employment: if the government patronage, however, is otherwise engaged, and the government situations all bespoken, they strike for *liberty and independence*; just as a prudent man opens a shop in the grocery or tobacco line, when he finds that the ironmongery or haberdashery business, which he would have otherwise preferred, is already overdone. It was confidently reported and currently believed in the colony, that the ablest Opposition editor we have ever had in the country, the late Dr. Wardell, LL.D. did not become a patriot, i. e. *a person opposed to the government*, till he had been refused a lucrative government appointment.

It is the pride and delight of a general dealer *to keep a good article*; but it is always to be remembered that the goodness of the article is estimated not so much according to its intrinsic value, as according to the taste of the customer. If the latter, for instance, should prefer colonial tobacco or colonial gin, the dealer would forthwith cease to import Brazils tobacco or genuine Jamaica, notwithstanding its acknowledged superiority. In like manner the article manufactured by the colonial press is in every respect suited to the taste of the customer; and in a colony in which two-thirds of the revenue arise from the sale of ardent spirits, it requires no conjurer to ascertain what that taste espe-



cially is. In short, a taste for rum implies a taste for ribaldry, for gross personal vituperation, and for an indiscriminate abuse of all the measures of government and of all its supporters; and it cannot be denied that this vitiated taste was ministered to by the colonial press during the government of General Darling, with a zeal and perseverance above all praise.

Indeed, it is undeniable, that the general taste for rum has rendered the sellers of that article too numerous and too money-making a class in the Australian community, to be disregarded on the one hand by the gentlemen of the press, or not to influence the periodical literature of the colony on the other. The rights and privileges of these individuals have uniformly been defended by the colonial press with as much devotedness as if the race of publicans constituted a fourth estate in the realm; and their tastes in the way of reading have been consulted with the assiduous attention of a tender-hearted nurse to a sick child. If the government, for instance, propose to pass an act to prevent tipping at certain hours on Sunday, there is an immediate outcry against the intolerable infringement of the rights of Englishmen, in not allowing an honest man to enjoy his pipe and tankard, and his colonial newspaper, in a respectable public-house, *of a Sunday*, without being subjected to the inquisitorial visits of a petty constable. A considerable proportion of the daily frequenters of these places of resort, as well as of the lower classes in general throughout the colony, consists of Roman Catholics: for the special gratification, therefore, of that class of the community, Protestant

editors republish Mr. Cobbett's libels on the reformation: and as a still larger proportion of the rum-drinking, as well as of the colonial population in general, are notoriously of no religion at all, the cause of the Deists, forsooth, is advocated with the utmost tenderness and the utmost liberality. In short, there is a species of action and reaction in perpetual progress between the colonial press on the one hand, and the rum-selling and the rum-drinking interests of the colony on the other, which is doubtless quite accordant with the acknowledged laws of physics, and the result of which is the farther debasement of both: for as every public-house has a tap, and as every tap must have a newspaper, the swallows of the vile and villanous stuff that is sold in these haunts of dissipation must have something equally worthless in the shape of literature to swallow along with it.

This licentiousness of the colonial press during the government of General Darling, or rather the state of feverish annoyance in which the Governor was perpetually kept by its personal attacks on himself, induced him to pass certain acts affecting the press of the colony, which were designated by the Opposition editors *the gagging acts*, and which only tended to render their personalities more provokingly offensive. In the mean time, Mr. William Wentworth, a native of the colony, and the favourite barrister of all the newspaper patriots of New South Wales, prepared and forwarded to England certain charges against General Darling, which were known and described in the colony as an impeachment of the Governor; and it was even given

out that Mr. Wentworth intended to *dog* His Excellency to England, on his retirement from the government of the colony, to prosecute him before the High Court of Parliament on the Sudds and Thompson affair. This prodigious display of *intended* patriotism naturally afforded an excellent handle to the colonial press ; and the mention of the impeachment in a variety of ways in the colonial newspapers led to a series of prosecutions for libel in the Supreme Court of the colony ; the result of which was, that all the three editors were repeatedly cast and fined, while those of the Opposition newspapers were besides subjected to a long imprisonment in the common jail. As the famous impeachment, however, was never heard of after the Governor left the colony, it was evident that the whole affair was a mere *ruse de guerre*, or rather mere *fanfaronnade*. Mr. Wentworth did indeed exhibit his patriotism on the occasion of General Darling's departure from the colony, in a way that perhaps occasioned him less personal hardship than a voyage to England, but that nevertheless did him great credit in the estimation of a certain portion of the colonial public ; for, like a true patriot who did not disdain the meanness of a vulgar triumph, he entertained a party of friends on the day of the Governor's embarkation, to celebrate the auspicious event, while all and sundry the *canaille* of Sydney were permitted to partake of his indiscriminate hospitality in front of his residence. The guests on that occasion, doubtless those of the latter description, evinced their extreme delicacy and propriety of feeling by grossly insulting General Darling's family as they passed, on their return to

Sydney, alongside the vessel in which they were then lying in the harbour ready for sea. These particulars may perhaps appear uninteresting to the general reader; but they will at least show him of what materials the *richest and rarest gems* of Australian patriotism are composed.

General Darling embarked for England on the 22nd of October, 1831, having administered the affairs of the colony for nearly six years.

After his return to England, and in consequence of reiterated representations from individuals who had either been opposed to his government, or had fancied themselves deeply injured through his measures, various attempts were made in the House of Commons to procure the appointment of a Parliamentary Committee to investigate the charges laid against him. Mr. Maurice O'Connell succeeded at length in this object, and procured the appointment of a Parliamentary Committee in the year 1835: but as the Committee were particularly instructed, on the motion of Lord John Russell, not to interfere with the case of Captain Robison, an officer who had undoubtedly been harshly used, if not absolutely ruined, by General Darling, (although it must be acknowledged that he had himself acted with extreme imprudence,) and as there was no evidence adduced to substantiate the other charges, he was honourably acquitted, and received from His Majesty, as a token of his royal favour on the occasion, the honour of knighthood.

It would be preposterous to attach the least degree



of importance to the result of this ill-advised and uncalled-for proceeding, on the part of Mr. Maurice O'Connell and his colonial prompters, in endeavouring to ascertain the exact merits or demerits of Sir Ralph Darling as a Governor of New South Wales. The conduct of a British Governor at the extremity of the globe must surely be peculiarly flagrant, if it cannot be sheltered from the condemnation of a Parliamentary Committee assembled in London. That there were no grounds sufficient to authorize the appointment of such a Committee, in the case in question, I most willingly admit; but that the verdict of honourable acquittal, pronounced by that Committee, is to be received and interpreted by the public as an authoritative declaration that Sir Ralph Darling was a good Governor, or that he did what he ought to have done, and what it was fully in his power to do, for the general advancement, and especially for the intellectual, the moral, and the spiritual welfare of the people of his government,—I must use the freedom to deny. It is at the bar of public opinion, and not merely by Parliamentary Committees, that Governors are to be tried, and their merits or demerits estimated and determined; and I should be sorry indeed, on behalf of the best interests of my adopted country, if the ill-advised and uncalled-for attempt at parliamentary investigation in the case of Sir Ralph Darling should ever preclude an appeal to that bar in the case of any future Governor of New South Wales.

I shall conclude this chapter with the following sketch

of the progress of geographical discovery in the interior of New South Wales during the government of Sir Ralph Darling.

The disappearance of the river Macquarie in an extensive marsh in the western interior,—a point which had been ascertained by Mr. Oxley during the government of Major-General Macquarie,—had given rise to many and contradictory conjectures, in regard to the general conformation of the Australian continent, among men of science in the European world. Mr. Oxley's opinion was, that the ocean of reeds in which he had suddenly lost all traces of the river was part of a vast inland sea, which occupied the interior of the continent, and from which there was no outlet to the coast; and as the river Lachlan, which also pursues a westerly course considerably to the southward of the Macquarie, was also ascertained by the same officer to lose itself in a similar way, this opinion was regarded as extremely probable; and the vast *terra incognita* of Australia was of consequence supposed to resemble a Scotch peasant's bonnet turned upside down, or a shallow basin made for *holding water*.

During the long drought that afflicted the colony in the course of Sir Ralph Darling's administration, it occurred to the Governor that a favourable opportunity was at length afforded for examining the interior marshes discovered by Mr. Oxley, and for ascertaining the actual fate of the river which had been so strangely reported by that gentleman to have committed an act of *felo de se* in the wilderness of Australia. An expedition was accordingly fitted out for the express purpose of ex-

amining the marshes of the Macquarie, under the command of Captain Sturt, of His Majesty's 39th regiment, who was accompanied by the enterprising native of the colony I have already mentioned, Mr. Hamilton Hume. In the course of his journey, during which the whole party experienced much suffering and privation from the excessive heat of the weather and the afflictive character of the drought, Captain Sturt ascertained that the marsh in which Mr. Oxley had lost the river was only of moderate extent—fifty miles in length and twenty in breadth—and that there was no such inland sea as that gentleman supposed. To the northward, however, a chain of ponds was discovered communicating with the dry bed of a torrent, whose channel was evidently intended to carry off the overflowings of the marshes in rainy seasons, and which Captain Sturt therefore very properly considered as the re-appearance of the Macquarie. This river, or rather torrent, was traced for a considerable distance in a northerly direction, and was found to communicate with a much larger river than the Macquarie, which Captain Sturt named the Darling, but of which the water was as salt as that of the ocean, from numerous brine-springs on its banks. Captain Sturt traced the Darling ninety miles from the point where it received the drainings of the marshes of the Macquarie; its course from that point being first north-westerly, but afterwards south-westerly. In the lower part of its ascertained course it was sixty yards in width in the extremity of the drought, and it was flowing to the southward in majestic loneliness, when Captain Sturt was reluctantly obliged to discontinue its examination, and to return with the expedition to the colony.

In the course of a second journey to the northward, undertaken in the year 1827, and extending as far as the latitude of Moreton Bay, Mr. Allan Cunningham, of whom I have already had occasion to make honourable mention, crossed four considerable streams, two of which he named the Gwydir and the Dumaresq, of which, however, the course and the fate (to use a phrase peculiarly applicable to the rivers of Australia) remained to be ascertained by subsequent discovery. In this journey, that enterprising and indefatigable traveller traversed the interior for an extent of five degrees of latitude to the northward, and made us acquainted with the existence of an extensive tract of available land, which at no distant period will doubtless be turned to good account by future settlers at Moreton Bay.

In consequence of an idea entertained by Major Mitchell, the present Surveyor-General of New South Wales, that an outlet existed for the waters of the interior to the north-westward, an expedition was fitted out for a journey of discovery in that direction, in the year 1831, immediately after General Darling left the colony; the petty jealousies which were unhappily allowed to influence the operations of the colonial government having previously precluded Major Mitchell from attempting to ascertain by actual examination the correctness of his conjecture. Major Mitchell's expedition was unfortunate in its issue. A *dépôt* was formed in the course of the journey, at which a large portion of the provisions intended for the expedition was deposited under the charge of two convict servants: in the absence, however, of the rest of the party, the two



men were speared by the natives, and the provisions either carried off or destroyed. Major Mitchell was therefore obliged to return to the colony much sooner than he had expected, and without accomplishing the main object of his journey. Considerable light, however, was thrown on the geographical conformation of the Australian continent by this expedition. It was ascertained, for instance, that the dividing range that separates the interior waters flowing ultimately in a northerly from those flowing ultimately in a southerly direction, was considerably farther to the northward than had previously been supposed ; the rivers Gwydir and Dumaresq, or, as they are called by the natives, the *Kindur* and the *Karaula*, which Mr. Cunningham had discovered flowing in a north-westerly direction, having been ascertained to alter their course, and to flow afterwards to the southward and westward. It would seem therefore that the river Darling is the common receptacle for the various streams that rise on the western declivity of the mountains that run parallel to the east coast of the continent—the Macquarie, the Castlereagh, the Peel, and the two rivers discovered by Mr. Cunningham ; Major Mitchell's conjecture in regard to the northern waters still remaining to be verified by future discovery.

I have already observed, that during the government of Major-General Macquarie, a river of considerable magnitude, called the Morumbidgee, was discovered flowing with a rapid westerly course from the elevated table-land to the southward and westward of Port Jackson. Highly favourable accounts reached the

colony from time to time of the country on the banks of this river; and the interesting report that was given by two gentlemen of the district of Bathurst, who had traced it for one hundred and fifty miles beyond the farthest cattle-station in the interior, served only to increase the mystery in which its fate was enveloped, and to heighten the general desire to ascertain whether it ultimately reached the surrounding ocean. An expedition of discovery was accordingly fitted out to proceed down the Morumbidgee, in the month of November, 1829, of which Captain Sturt, who had shortly before ascertained the termination of the river Macquarie, and the existence of a still larger river in the western interior, with so much credit to himself and so much satisfaction to the colony, was entrusted with the command.

In the upper part of its course the Morumbidgee traverses a country consisting chiefly of grassy hills and romantic valleys, well fitted for the residence and subsistence of civilized man. Along the course of the river there is a succession of flats, some on the right, and others on the left bank of the stream; some of larger, and others of smaller extent, which, according to Captain Sturt, "for richness of soil, and for abundance of pasture, can no where be excelled." Farther to the westward the country is of an inferior character; and on approaching the meridian on which the Lachlan river had been ascertained by Mr. Oxley to disappear in an extensive marsh, considerably to the northward, it exhibits the aspect of absolute sterility and hopeless desolation. It would seem, indeed, that the overflowings of

the marshes of the Lachlan are carried off by a series of insignificant rills into the bed of the Morumbidgee, just as those of the marshes of the Macquarie are left to find their way into the channel of the Darling. About fifty miles to the westward of these marshes, the Morumbidgee empties its diminished current into a noble river flowing from the eastward, to which Captain Sturt gave the name of the *Murray*. At the point where it receives the Morumbidgee, the Murray is about three hundred and fifty feet in width, and from twelve to twenty in depth. "Its reaches," says Captain Sturt, "were from half to three-quarters of a mile in length, and the views upon it were splendid: its transparent waters were running over a sandy bed at the rate of two and a half knots an hour; and its banks, although averaging eighteen feet in height, were evidently subject to floods." "The river," adds the same intelligent traveller, in a subsequent paragraph, "improved upon us at every mile: its reaches were of noble breadth and splendid appearance: its current was stronger, and it was fed by numerous springs."

The Murray is in all likelihood formed by the confluence of the three rivers already mentioned, that were crossed by Messrs. Hovell and Hume on their expedition to Port Phillip in the year 1824; and it probably constitutes the common receptacle of the western waters of the south-east angle of the continent of Australia. From its junction with the Morumbidgee, it flows in a west-north-westerly direction for about fifty or sixty miles, and is then joined by a noble river of a hundred yards in width flowing from the northward, which Captain

Sturt supposes, with evident propriety, to be the Darling—the common receptacle of the western waters from the twenty-ninth parallel of south latitude. From the point of its junction with the latter river, the Murray pursues a south-westerly course for about fifty or sixty miles farther, and then flows due south for the remainder of its course. “We passed some beautiful scenery,” says Captain Sturt, in the interesting narrative of this part of his expedition, “in the course of the day. The river preserved a direct southerly course, and could not in any place have been less than four hundred yards in breadth.” “As we proceeded down it, the valley” (through which the river winds) “expanded to the width of two miles; the alluvial flats became proportionably larger, and a small lake generally occupied their centre. They were extensively covered with reeds and grass; for which reason, notwithstanding that they were a little elevated above the level of the stream, I do not think they are subject to overflow. Parts of them may be laid under water, but certainly not the whole. The rains at the head of the Murray, and its tributaries, must be unusually severe to prolong their effects to this distant region, and the flats bordering it appear by successive depositions to have only just gained a height above the farther influence of the floods. Should this prove to be the case, the valley may be decidedly laid down as a most desirable spot, whether we regard the richness of its soil, its rock formation, its locality, or the extreme facility of water-communication along it.” The Murray was found to



terminate in an extensive lake on the southern coast, near the gulf of St. Vincent.

“ We had at length arrived,” says Captain Sturt, on ascending an eminence to obtain a view of the country, at a place where the river suddenly expanded into a wide basin, “ at the termination of the Murray. Immediately below me was a beautiful lake, which appeared to be a fitting reservoir for the noble stream that had led us to it, and which was now ruffled by the breeze that swept over it. The ranges, which had previously been seen to the westward, were more distinctly visible, stretching from south to north, and were certainly distant forty miles : they had a regular unbroken outline ; declining gradually to the south, but terminating abruptly at a lofty mountain northerly. I had no doubt on my mind of this being the Mount Lofty of Captain Flinders, or that the range was that immediately to the eastward of St. Vincent’s Gulf. Between us and the ranges a beautiful promontory shot into the lake, being a continuation of the right bank of the Murray. Over this promontory the waters stretched to the base of the ranges, and formed an extensive bay. To the north-west the country was exceedingly low, but distant peaks were just visible over it. To the south-west a bold headland showed itself ; beyond which, to the westward, there was a clear and open sea visible, through a strait formed by this headland, and a point projecting from the opposite shore. To the east and south-east, the country was low, excepting the left shore of the lake, which was backed by some minor elevations crowned with cypresses. Even

while gazing on this fine scene, I could not but regret that the Murray had thus terminated; for I immediately foresaw that, in all probability, we should be disappointed in finding any practicable communication between the lake and the ocean, as it was evident that the former was not much influenced by tides." "We pitched our tents on a low track of land that stretched away seemingly for many miles directly behind us to the eastward. It was of the richest soil, being a black vegetable deposit; and, although now high above its influence, the lake had, it was evident, once formed a part of its bed." \*

The lake Alexandrina (for such was the name by which Captain Sturt designated the noble sheet of water into which the Murray disembogues its current) is sixty miles in length and forty in breadth, and is situated to the eastward of the gulf of St. Vincent, between the one hundred and thirty-ninth and one hundred and fortieth degrees of east longitude on the southern coast of Australia. It communicates with the ocean in Encounter Bay by a narrow channel, impracticable even for boats; and, although the point has not yet been satisfactorily ascertained, there is reason to believe that there is no navigable outlet in any other direction. Some time after Captain Sturt's expedition, Captain Barker, a meritorious officer, also of the Thirty-ninth Regiment, who was then Commandant at King George's Sound, was ordered by General Darling

\* "Two Expeditions into the Interior of Southern Australia, &c. By Captain Charles Sturt, Thirty-ninth Foot." London, 1833. *passim*.

to examine the southern coast in the vicinity of the lake, on his return to head-quarters, after the transference of that settlement to the colony of Swan River : but that unfortunate officer being, it would seem, zealous overmuch in the discharge of his duty, was speared by the natives when separated from the rest of his party by a narrow inlet on the coast, across which he had swum alone to examine the beach on the opposite shore ; and the public are therefore deprived in the mean time of the accurate information which he would doubtless have afforded them in regard to the outlets, and the general character of the country in the vicinity, of the lake.

But although there should be no practicable outlet from the Lake Alexandrina to the ocean, the discoveries effected by Captain Sturt, in the course of his second expedition, are of the utmost importance. A vast extent of available land, in a climate of unequalled salubrity, has thus been thrown open for immediate colonization. "The valley of the Murray, at its entrance," says Captain Sturt, "cannot be less than four miles in breadth. The river does not occupy the centre, but inclines to either side, according to its windings ; and thus the flats are of greater or less extent, according to the distance of the river from the base of the hills. It is to be remarked that the bottom of the valley is extremely level, and extensively covered with reeds. From the latter circumstance, one would be led to infer that these flats are subject to overflow ; and no doubt can exist as to the fact of their being, at least partially, if not wholly, under water at times."—

“ If the valley of the Murray is not subject to flood, it has only recently gained a height above the influence of the river, and still retains all the character of flooded land. In either case, however, it contains land that is of the very richest kind—soil that is the pure accumulation of vegetable matter, and is as black as ebony. If its hundreds of thousands of acres were practically available, I should not hesitate to pronounce it one of the richest spots of equal extent on earth, and highly favoured in other respects. How far it is available remains to be proved ; and an opinion upon either side would be hazardous, although that of its liability to flood would, most probably, be nearest to truth.”—“ I would, however, observe, that there are many parts of the valley decidedly above the reach of flood.”\*

As the portion of the southern coast of the Australian continent, which includes Spencer’s and St. Vincent’s gulfs, two very deep indentations of the land from the Great Southern Ocean, together with the Lake Alexan-

\* Captain Sturt seems to have forgotten that one of the most fertile, most populous, and earliest settled tracts in New South Wales is subject to floods in a high degree—I allude to the valley of the Hawkesbury. The availableness of land in New South Wales does not depend on its being beyond the reach of inundations, as Captain Sturt appears to intimate: on the contrary, the small settler or agriculturist *prefers* land for the purposes of cultivation that is occasionally flooded, to forest-land beyond the reach of floods. On the other hand, it cannot be supposed that a river with so wide an embouchure as the Murray should inundate the level country on its banks to any great depth. The valley may be occasionally under water, but the floods cannot be at all comparable with those of the Hawkesbury, where the occasional occurrence of inundations is no obstacle whatever to the occupation and cultivation of the land formed by their deposits.



drina and the valley of the Murray in the lower part of its course, is now comprehended within the territory of the recently formed colony of Southern Australia, it is nothing less than justice to acknowledge that there is unquestionably no part of the Australian continent which affords so eligible a prospect for the establishment of an independent colony. The character of the country through which the river, supposed to be the Darling, winds its solitary way from the northward, is not yet fully ascertained, although Major Mitchell, the Surveyor-General of New South Wales, has recently traced that river for three hundred miles in a southerly direction beyond the point to which it had been previously traced by Captain Sturt, and was actually absent on an expedition to follow it down the remaining one hundred and thirty miles of its supposed course, to the point of its junction with the Murray, when I left the colony on the 29th of July last. The character of the country to the eastward along the banks of the Murray, above the junction of that river with the Morumbidgee, is equally unknown ; but there is reason to prognosticate favourably in both cases. At all events, the advantages likely to result to a colony established on the shores of the Lake Alexandrina, from the possession of so eligible a means of communication with the distant interior as would evidently be afforded by two navigable rivers, are too obvious to require enumeration. Those parts of the shores of the lake itself that have hitherto been examined have been ascertained to be well fitted for the residence of civilized man ; while the country intervening between the lake and the gulf of St. Vincent,

which it seems was partially examined by Captain Barker, is spoken of in the highest terms by the survivors of his party, as a country in every respect fitted by nature for the settlement and subsistence of a numerous population. "It would appear," says Captain Sturt, in reference to this part of the Australian continent, "that a spot has at length been found upon the south coast of New Holland, to which the colonist might venture with every prospect of success, and in whose valleys the exile might hope to build for himself and for his family a peaceful and prosperous home. All who have ever landed upon the eastern shore of St. Vincent's Gulf agree as to the richness of its soil and the abundance of its pasture. Indeed, if we cast our eyes upon the chart, and examine the natural features of the country behind Cape Jervis, we shall no longer wonder at its differing in soil and fertility from the low and sandy tracks that generally prevail along the shores of Australia.

"The country immediately behind Cape Jervis may, strictly speaking, be termed a promontory, bounded to the west by St. Vincent's Gulf, and to the east by the Lake Alexandrina and the sandy tract separating that basin from the sea. Supposing a line to be drawn from the parallel of  $34^{\circ} 40'$  to the eastward, it will strike the Murray river about twenty-five miles above the head of the lake, and will clear the ranges of which Mount Lofty and Mount Barker are the respective terminations. This line will cut off a space, whose greatest breadth will be fifty-five miles, whose length from north to south will be seventy-five, and whose surface exceeds

seven millions of acres ;\* from which if we deduct two millions for the unavailable hills, we shall have five millions of acres of land, of rich soil, upon which no scrub exists, and whose most distant points are accessible, through a level country on the one hand, and by water on the other.

“ The only objection that can be raised to the occupation of this spot is the want of an available harbour : yet it admits of great doubt, whether the contiguity of Kangaroo Island to Cape Jervis, and the fact of its possessing a safe and commodious harbour, certainly at an available distance, does not in a great measure remove the objection. Certain it is, that no port, with the exception of that on the shores of which the capital of Australia is situated, offers half the convenience of this, although it be detached between three and four leagues from the main.”†

All who feel interested in the progress of geographical discovery in the Australian continent, will sympathize with Captain Sturt in his ardent desire that the recently discovered rivers may speedily be traced to their respective sources ; and all who feel interested in promoting the real welfare of the mother country, will coincide with that gentleman in wishing, that a portion of her superabundant, semi-pauper, agricultural population were speedily transformed into an industrious and contented peasantry, as they doubtless might be

\*  $75 \times 55 = 4125$  square miles.  $4125 \times 640 = 2,630,000$  acres. Captain Sturt is evidently much better at exploring than at summing.

† “ Two Expeditions into the Interior of Southern Australia, &c. By Captain Sturt,” vol. II. p. 247.

with little difficulty on the shores of Southern Australia. The prosperity of that embryo colony can in no way interfere with that of New South Wales: on the contrary, it will open an eligible market for the superabundant agricultural and grazing stock of the older settlement, as well as for its grain and dairy produce, for years to come.

I cannot bring this imperfect sketch of Australian discovery during the administration of Sir Ralph Darling to a close, without adding a single remark in reference to Captain Sturt himself. That officer has doubtless merited well of the colony of New South Wales, not only for the important discoveries he has effected in the interior of the continent of Australia, but for the skill and judiciousness with which he conducted the two expeditions under his command, in the perilous and trying service in which he was engaged. For not only did he bring back the whole of his party on both occasions without losing a man; but his intercourse with the numerous and sometimes troublesome and even hostile natives, with whom he came in frequent and dangerous contact in the course of his last expedition, was uniformly managed without bloodshed.



## CHAPTER VIII.

VIEW OF THE PRESENT STATE OF THE COLONY  
UNDER THE GOVERNMENT OF MAJOR-GENERAL  
SIR RICHARD BOURKE, K.C.B.

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*Justum tenacemque propositi virum.*

HORACE.

Strictly just, but somewhat tenacious.

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I WAS walking with my late brother, Mr. George Lang, on the bank of the Parramatta river one beautiful evening in the year 1824, when the late Bungary, chief of the Sydney tribe of black natives, was pulling down the river, in a boat which he had received as a present from the Governor, with his two jins or wives. My brother accosted Bungary on his coming up with us, and the good-natured chief immediately desired his jins to rest upon their oars. During the short conversation that ensued, my brother requested Bungary to show us how Governor Macquarie made a bow: Bungary happened to be dressed at the time in the old uniform of a military officer; and accordingly, standing up in the stern of his boat, and taking off his cocked hat with the requisite punctilio, he made a low formal bow with all the dignity and grace of a general officer of the old

school. My brother then requested him to show us how Governor Brisbane made a bow ; to which Bungary very properly replied in broken English, “ ‘top, ‘top; bail\* me do it that yet ; ‘top nudda Gubbana come.” In short, Bungary could exhibit the peculiar manner of every Governor he had seen in the colony ; but he held it a point of honour never to exhibit the reigning Governor.

In conformity to this prudent maxim of Australian aboriginal policy, I might now bring my series of historical sketches to a close, leaving to some future colonial historian the task of exhibiting an outline of the administration of Major-General Sir Richard Bourke, the present Governor of New South Wales. But, as it was my intention, on commencing these sketches, to afford the reader a general view of the present state of the colony, which of course cannot be done without adverting to various important acts of His Excellency’s government, I shall proceed forthwith to fulfil that intention ; and I trust I shall be enabled to do so in the same spirit of candour and impartial justice which I am conscious I have hitherto maintained. In what I have already written, I have not been restrained from telling what may possibly prove disagreeable truths, by the fear of giving offence in any quarter : I trust, that in what remains to be written, I shall not be chargeable with the meanness of adulation.

Major-General Sir Richard Bourke, K.C.B., the eighth Governor of New South Wales, arrived in the

\* *Bail* is a particle of negation in the language of the Aborigines.

colony on the 2nd of December, 1831; Colonel (now Sir Patrick) Lindesay, of His Majesty's 39th regiment, now in India, having discharged the duties of Acting-Governor during the interval that had elapsed after General Darling left the colony.

Sir Richard Bourke was originally educated for the law, but afterwards embraced the profession of arms. Of a capacious mind, and of superior intellectual acquirements, he is evidently capable of the most comprehensive views in matters of state-policy and civil government, though perhaps somewhat indisposed to the technicalities of practical detail. His despatch to the Secretary of State for the Colonies, on the state of education and religion in New South Wales, to which I shall have occasion to allude more particularly in the sequel, is a masterly performance; and the policy to which it has already led, will, in these important particulars at least, eventually revolutionize the colony.

Sir Richard Bourke commenced his administration under the happiest auspices. The unpopularity of his predecessor, especially towards the close of his government, had disposed the colonists of all classes to welcome the new Governor with enthusiasm, and to put the most favourable construction on his general policy: besides, at the period of his arrival, the colony was rapidly recovering from the effects of a drought of unprecedented duration and unexampled severity, which, aggravated, as it had been, by a state of general and extreme depression, arising from the prodigious depreciation of property of every description, had for a time completely paralysed the energies of the community;

and the colonists were consequently prepared to exert their energies again to the utmost, for the accomplishment of whatever object their circumstances should point out to them, as of peculiar importance, and in whatever direction a vigorous administration should lead the way.

Commencing his government in these favourable circumstances, Sir Richard Bourke exhibited at his outset in the colony much of the vigour and the firmness of Governor Macquarie. The importance of a combination of such qualities, on the part of a ruler, to the general prosperity and the rapid advancement of a young colony, is incalculable. In short, in the case of a man in authority evincing these high qualities of mind, as compared with the man of feeble and irresolute character; there is all the difference that there is in the case of a time-piece, when its main-spring is possessed on the one hand of the requisite strength and elasticity, and when it is neither strong nor elastic enough on the other to overcome the resistance of the inferior machinery. To continue the metaphor, the colonial time-piece was evidently a great deal too slow when Governor Bourke arrived in the colony: no sooner, however, was its regulator touched, even in the gentlest manner, than its rapidly accelerated movement became generally apparent.

The commencement of Sir Richard Bourke's administration was also peculiarly auspicious from the favourable circumstances in which he had been placed by the Home Government, in regard to the disposal of Crown land. All the former Governors of New South Wales had been empowered to grant portions of unlocated



Crown land to private individuals—under certain specific restrictions, it is true ; but in reality according to their own private judgment, and virtually without any limitation. It cannot be supposed that so important a prerogative could be exercised in many cases, without giving great offence in particular quarters : charges of partiality or of injustice were accordingly urged against the Governors of the colony without intermission ; for every person naturally thought himself fully entitled to the same extent of land, as any other inhabitant of the colony, in similar circumstances, had obtained from the government. An entirely new system, however, was introduced, by order of His Majesty's Government, in the year 1831, in regard to the alienation of Crown land in the colony ; the Governor being no longer authorized to grant land in any quantity or to any person whatever, except for schools, churches, glebes, or other public purposes. The only mode of alienating Crown lands at present authorized by Government is by sale at a public auction : but no land of this description is sold unless previously applied for by an intending purchaser ; and that purchaser's intention to bid for a particular tract must always be duly notified in the Government Gazette, three months before the day of sale, excepting in the case of a recently arrived emigrant, when one month's notice is held sufficient. A minimum price for building allotments in Sydney and the other towns of the colony is fixed by the Surveyor-General ; the minimum price of five shillings an acre being fixed by the Home Government for all the other land in the territory.

Different opinions may doubtless be entertained by

persons differently situated, in regard to the operation and effect of these important regulations in other respects; I am happy to state, however, that there is no difference of opinion in New South Wales in regard to their highly beneficial operation, in relieving the colonial government on the one hand of a load of most invidious responsibility, and in depriving the disappointed or the discontented of a fruitful source of dissatisfaction on the other.

I have already mentioned that one of the earliest acts of the present Governor's administration was to break off all connexion on the part of the government with the colonial press. This was an act of which the policy was evident and unquestionable, and of which the colony has experienced the beneficial effects. The patronage which the colonial government had previously afforded the Sydney Gazette had naturally been regarded with no small degree of envy by the editors of the other colonial journals; and it not only enabled the latter to designate that paper, as they generally did, with some show of justice, *the paid official*, but to identify the government with all the sentiments it promulgated. So long as this patronage was afforded, there was *matériel* enough in the colony for the construction of a systematic opposition to all the measures of government, antecedently to the supposed discovery of any thing mischievous or oppressive in these measures themselves; and it only required the government to make one decidedly false step, or the government paper to give utterance to some exceptionable sentiment or some ill-timed adulation, to justify the editors of the

other papers, in their own estimation, and in that of all their adherents, in affixing their heavy drag to the wheels of the colonial state-carriage, and in ever afterwards keeping it there with the utmost pertinacity, whether the horses were toiling up the hill or galloping furiously down. In depriving the Sydney Gazette, therefore, of the patronage of government, and in uniformly leaving the measures of his administration to speak for themselves, Sir Richard Bourke has not only removed an apple of discord from the busy arena of colonial politics, but consulted his own peace of mind, and effectually promoted the general tranquillity of the colony. Nay, I am fully persuaded, that if Sir Ralph Darling had only pursued a similar course, he would have saved himself a world of annoyance, and his government would never have been distinguished in the annals of the colony by an *era of libels*.

It would be uninteresting to the general reader to have a list of the acts of Sir Richard Bourke's administration submitted to his inspection. In most of these acts His Excellency has been rather passive than active; doing merely what would have been done perhaps equally well by any man of intelligence in the situation he holds; or, in other words, doing merely what the progressive advancement of the colony and the state of its anomalous society rendered necessary to be done. Indeed, the rapid progress and extension of the colony of New South Wales will render the personal character of the Governor,—especially if the colonists should succeed in obtaining what is now so much desired by all classes, I mean a share in the ad-

ministration of their own public affairs—a matter of less importance to its future welfare every day ; insomuch, that the stream of its history, ever widening and deepening in its course, will in all likelihood continue to flow for the future with but little reference to the Governor at all. At the same time, there are certain acts of Sir Richard Bourke's administration which are not only peculiarly important in themselves, as they affect the interests of the colonists generally ; but of so peculiar an aspect, as to stamp His Excellency's character both as a Governor and as a man ; while there are others which cannot fail to make a deep and salutary impression on the whole colonial community,—an impression which I trust will never be effaced. The acts I allude to are those especially that relate to the distribution and coercion of the convict population ; to the constitution or composition of courts of justice ; to the encouragement of immigration in accordance with the principle of the recently established land regulations ; to the constitution of the civil government of the colony ; and to the promotion of general education and efficient religious instruction throughout the territory. On certain of these measures I shall make a few explanatory remarks in the course of this chapter ; leaving the others for more particular discussion in the succeeding chapters of these volumes.

Shortly after His Excellency's arrival in the colony, he was given to understand, and ascertained on examination, that the punishments awarded by the colonial benches of magistrates, in the cases of convict servants accused of minor offences by their masters, were ex-



ceedingly unequal, as compared with each other, and in many cases disproportioned to the offences committed, and unnecessarily severe. To establish something like uniformity, therefore, in the decisions of the colonial magistrates, and to afford the requisite protection to the convict, Sir Richard Bourke procured the enactment of a colonial law by the legislative council of the colony, restraining magistrates in petty sessions assembled from the infliction of more than fifty lashes for any one offence. Now, considering the lash as a thoroughly degrading and brutalizing species of punishment,\* and knowing, as I do, that on the best-managed estates in the colony it is a punishment which is scarcely ever required, I should not have been disposed to regard the *Magistrates' or Fifty-lashes Act* as a serious offence on the part of the Governor; on the contrary, I should rather have regarded it as highly creditable to His Excellency's sense of justice and to his enlightened humanity.

This famous act, however, was regarded with far different feelings by certain of the colonial proprietors, and especially by certain Tory relicts of General Darling's administration, who had been accustomed to a much more liberal application of the *Russian ultimatum*, and whom, perhaps, it also grieved to the heart to find Whig principles at length predominant in the councils of the colony. The hue and cry of ill-judged lenity on the part of the Governor, and of general insubordination on the part of the convicts,—nay, of impending anarchy and

\* It was regarded as an infamous punishment under the Roman law, and was not allowed to be inflicted under any circumstances on Roman citizens.

insurrection throughout the territory—was accordingly raised against the Governor; and petitions for increased power to inflict summary punishment were signed and transmitted to England by various colonial proprietors, who, to my own certain knowledge, had never expended one solitary farthing for the religious instruction of their numerous convict servants! It was not civil and religious liberty—that pearl of inestimable price in the eyes of our forefathers in the earlier days of emigration to America—for which these Australian worthies petitioned; it was for a somewhat different species of liberty, *the liberty to lash*; and long and deep were the groans they uttered, through their favourite organ, the “Sydney Herald,” when they found it denied them.

Previous to Sir Richard Bourke’s arrival, the assignment of convict servants had, in one way or other, proved a source of patronage to the colonial government, or at all events to persons connected with it. The Assignment Board established by General Darling had partly corrected this abuse, and in some measure equalized the distribution of the convicts among the settlers; but there were still ways and means of getting more than one was entitled to, or than other people equally deserving could obtain, during General Darling’s administration, notwithstanding that board; and the fact was notorious in the colony. As a statement, however, to this effect, contained in the first edition of this work, was called in question at the time of its publication, I deem it necessary to relate the following

incident, as illustrative of the accordance of that statement with my own experience and observation.

As I was travelling on one occasion in the discharge of clerical duty in the interior of the colony, during Sir Ralph Darling's administration, I happened to call at the cottage of a respectable settler, a magistrate of the territory, who I found was building a remarkably substantial two-story brick house on his estate at the time. He asked me to look at the house, which was beautifully situated on a rising ground, commanding a wide extent of champaign country; and I accordingly did so before resuming my journey. In pointing out its various advantages, the settler informed me that the brickmaking and bricklaying operations, the carpentry and joinery work, the plastering and shingling, and, if I am not greatly mistaken, the cabinet-maker's and upholstery work, had all been done by his own assigned convict servants. I happened to mention the circumstance in the course of conversation with the next settler I called on a few miles off, without suspecting however that there was any peculiarity in the case; when the settler observed to me, not without a slight display of indignant feeling, that he had been applying for a convict mechanic himself for years, but had been unable to obtain one, although he had done much more for the district than his more fortunate neighbour. The first settler was the friend of a colonial functionary of some influence at the time; and I could not fail to observe, that he was always particularly active in his district whenever addresses were to be moved to General Darling. The second settler, who

was also a magistrate of the territory, was merely a man of independence, who was accustomed to think and act for himself.

To put an end to every thing like favouritism in this department of the public service, and to equalize the distribution of the convicts, Sir Richard Bourke established a code of regulations for the assignment of convict servants, agreeably to which the number of convicts assignable to any applicant was to depend on the extent of land he held, and especially of land in cultivation ; certain subordinate regulations being established in favour of reputable persons cultivating small farms, and convict mechanics of certain handicrafts being estimated as equivalent to two or three common labourers each. The equity and impartiality of this arrangement were so apparent, that it was scarcely possible to find exceptions against it : it was complained of, however, by the same parties who had complained of the Magistrates' Act, because forsooth the new regulations prohibited the assignment of more than seventy convicts to any one proprietor ! It was surely a sufficient number to consign to the blackness of moral darkness and to spiritual death, in the service of men who had never expended one solitary farthing in promoting their moral and spiritual welfare !

It is the opinion of the present Governor, expressed in a despatch to the Secretary of State for the Colonies, printed by order of the House of Commons, that it would be greatly for the benefit of the free settlers in New South Wales to dispense with convict labour altogether. In accordance with His Excellency's de-



clared sentiments on this subject, I am decidedly of opinion that the whole system of assignment in that colony should forthwith be discontinued ; there being great and intolerable evils necessarily connected with its continuance, and the Colonial Government having abundant means of employing the convicts, without entailing any additional expense on the mother country in a less exceptionable way. But as I have discussed that question at great length in a separate publication,\* I shall only observe, in taking leave of the subject, that so long as His Majesty's Government choose to continue the transportation of convicts on its present footing, Sir Richard Bourke's assignment regulations † will be found in the highest degree equitable in themselves and beneficial to the colonists.

From the peculiar constitution of society in New South Wales, there has been a yearly increasing number of free persons in the colony during the last twenty years, who had arrived in the territory as convicts, but whose respective sentences of transportation have expired ; and it has for several years past been a question much agitated in the colony, how far these persons, together with those who have obtained absolute or conditional pardons, are to be considered as restored to the rights and privileges of free subjects, and particularly whether they are eligible to act in the capacity of jury-

\* "Transportation and Colonization ; or, the Causes of the Comparative Failure of the Transportation System in the Australian Colonies ; with suggestions for ensuring its future efficiency in subserviency to extensive colonization." London, 1837.

† See Appendix, No. 9. for a copy of these Regulations.

men. The emancipists, as they are usually styled in the colony, claim this privilege themselves as a matter of right; chiefly, however, from having been taught and incited to do so by certain news-writers of their own class and origin, as well as by certain lawyers of inferior respectability, who depend chiefly on emancipist and convict practice, and who willingly pursue the arts of petty agitation to acquire an importance in society, which they have no other means of attaining. It is not to be denied, however, that there are men of higher standing in the colony, but chiefly of that class of persons to whom the praise and the popularity of political liberalism are objects of importance, who advocate the claims of the emancipists, and who especially maintain their eligibility to act as jurymen.

It is scarcely to be supposed that Sir Richard Bourke could have been enabled from his own personal experience and observation, during the first eighteen months of his residence in New South Wales, to decide on a subject of such vital interest to all classes of the inhabitants of the colony, and it is doubtless to be regretted that he seems to have derived his information on that subject chiefly from one source. At all events, a law was proposed by His Excellency to the legislative council, and subsequently passed by that body during the sessions of 1833, declaring emancipists qualified to serve on criminal juries, *provided they possessed £30 of yearly income, or personal property to the amount of £300.\**

\* They had been rendered eligible to serve on civil juries by a previous enactment.

In regard to the question of law involved in this matter there could be no doubt. A letter had been addressed on the subject during the sessions of the legislative council, to the three Judges of the Supreme Court; to which the following is a copy of their reply:—

Copy of a Letter from their Honours the Judges of the Supreme Court to the Colonial Secretary.

“ Sydney, August 8, 1833.

“ Sir,

“ In accordance with the request of His Excellency the Governor, we have the honour to communicate to you our opinion on the subject referred to us for the information of the Legislative Council, and contained in your letter to us of the 7th instant.

“ We are of opinion, that by the statute 6 Geo. IV. cap. 50. sec. 3. any person (not under outlawry or excommunication) who hath been or shall be attainted of any treason or felony, or convicted of any crime that is infamous, and hath obtained a *free pardon*, would be holden qualified to serve on juries in England.

“ We are further of opinion, that since the passing of the statute 6 Geo. IV. cap. 50. the law has been so far altered in this respect by three subsequent statutes, viz. the 7 and 8 Geo. IV. cap. 28. the 9 Geo. IV. cap. 32. and the 9 Geo. IV. cap. 83. that the following persons, who have been convicted of a felony or transportable offence, would now be holden qualified to serve on juries in England, in addition to those who, having been so convicted, have obtained a free pardon; viz.

“ First. By statute 7 and 8 Geo. IV. cap. 28. sec. 13. any offender convicted of *felony punishable with death, or otherwise*, to whom His Majesty hath been or shall be pleased to extend his royal mercy, and by warrant under the royal sign manual, countersigned by one of His Majesty's Principal Secretaries of State, hath granted or shall grant to such offender a conditional pardon, and the condition has been performed.

“ Secondly. Any offender convicted of *felony not punishable with death*, who hath or shall have endured the punishment adjudged for the same.

“ Thirdly. By statute 9 Geo. IV. cap. 83. sec. 32. any transported felon or offender, whose term of transportation hath, *before January 1, 1824*, been remitted by any Governor of New South Wales, in manner

directed by the statute, such remission having also been ratified by His Majesty as therein mentioned.

“ Fourthly. We are of opinion, that all persons, who having been convicted of any transportable offence, not being *felony*, or *such crime as is accounted in law infamous*, have received an absolute pardon or a conditional pardon, and have performed the condition, or who have endured the punishment for the same, would be holden qualified.

“ Because such offences create no disqualification, but only incapacitate the offender so long as he is deprived of his liberty.

“ We are further of opinion, that persons who have been convicted of perjury under the statute 5 Eliz. cap. 14. can by no means, but by Act of Parliament, be so restored to their civil capacities as to be qualified to serve on juries in England.

“ Secondly. That persons who have been convicted of *such transportable offences as are in law accounted infamous*, as perjury at common law, subornation of perjury, and forgery in some cases, and have not received a free pardon, would not now be holden qualified to serve on juries in England.

“ Thirdly. That persons who have been convicted of such offences as are below the degree of felony, and are *not transportable offences*, but yet are in law accounted infamous, as persons convicted of conspiracy to accuse another of a capital offence, or of any other species of the *crimen falsi*, would not now be holden qualified to serve on juries in England.

“ We have the honour to be, &c. &c.

(Signed)

FRANCIS FORBES, Chief Justice.

JAMES DOWLING.

W. W. BURTON.”

Notwithstanding the absence of the Archdeacon and Mr. Robert Campbell, sen., two members of the legislative council who were decidedly opposed to the measure in question, there were still six of the members of that body opposed to it on its being put to the vote: but the Governor, and five members who adhered to him, having voted in its favour, His Excellency decided the matter in a way, which, for aught I know to the contrary, may be defensible; viz. by giving a *second* or



casting vote, by which it forthwith became the law of the land.

Previous to the session of the legislative council for 1836, a second letter was addressed by the colonial government to the three judges, desiring their opinion on the working of the jury law ; in reply to which, two of them, viz. the Chief Justice and Mr. Justice Dowling expressed themselves, though by no means warmly, in favour of its operation ; while Mr. Justice Burton expressed himself decidedly against it. As it is the province of a judge, however, rather to determine what *is* law than what *ought to be* law, agreeably to the maxim, *ad quæstionem legis respondent iudices*, it may not be improper to make a few observations on the subject, as it is one of vital importance to the colony of New South Wales, as well as in relation to the future efficiency of the transportation system.

Taking it for granted, therefore, that there was nothing in the laws of England to prevent a person who had been convicted of felony, and had afterwards served out his sentence of transportation, or received a pardon, from sitting on a jury in Great Britain or Ireland, the question is, Was it either right or expedient to extend the law of England in this particular to New South Wales ? or, in other words, to declare all emancipated convicts, possessing a certain money-qualification in that money-making colony, eligible to act as jurors ? It appears to me, that it was neither right nor expedient to do so.

First. Because the circumstances of the colony of New South Wales are totally different from those of England in regard to this particular. The case of a person who had

been convicted of felony sitting on a jury in England, after having suffered the punishment awarded by the law for his particular offence, is one certainly which *may* occur, but of which the occurrence is extremely improbable. Besides, on the supposition of its occurring in a particular case, and of the fact being notorious at the time to all parties concerned, the emancipated convict juror would have no influence whatever in swaying the other jurors, or in determining the issue. In New South Wales, however, the probability is, that at least one half of the jurors, in cases of alleged felonies and misdemeanours, will consist of persons of this class, and that the administration of justice will consequently be open to much suspicion ; persons of the class of emancipated convicts being, it must necessarily be supposed, much more likely to be swayed by motives of favour or of interest, than persons of previously unblemished character : for,

Secondly. There is an *esprit de corps* generated among all particular classes or bodies of men, who are remarkably distinguished from the rest of the community to which they belong, either by their profession or by their moral practice ; and this *esprit de corps* will necessarily interfere with the administration of justice in all cases in which individuals of their particular classes are concerned, their associates or companions being judges. It would be vain, for example, to expect justice from a jury of common soldiers in any case of alleged injury committed by soldiers on private citizens, unless, perhaps, the evidence were so clear as to render a verdict of acquittal tantamount to downright perjury. *A fortiori*, therefore, justice is not to be expected from a

jury consisting chiefly of emancipated convicts, in any case in which individuals of the class to which they either do or did belong, are concerned. The very best feelings of human nature are against the supposition. If, for instance, I have been myself tried for a capital offence, and have escaped with a minor punishment through some legal chicanery, or some stretch on the part of an ill-informed or over-scrupulous jury, I shall necessarily feel strongly disposed to acquit any person who stands before me as a jurymen in somewhat similar circumstances to those in which I once stood myself, and whose life is virtually at my disposal; I shall necessarily feel this disposition independently of my oath: and provided it is only strong enough, I shall feel myself constrained to act upon it, and thereby to commit an act of grievous injustice to the community.

The following illustration of the actual operation of the principles and feelings I have alluded to, occurs in the letter of Judge Burton to the Colonial Secretary, of date April 30th, 1836, on the working of the present jury system of New South Wales:—

“An instance of this occurred in a case where a young man, a native of the colony, was tried before me, and a verdict of acquittal was returned, which might be considered unsatisfactory to a by-stander; but where no predisposition amongst the jury, in favour of the prisoner, was manifested in court, and I suspected none. I was afterwards informed by a highly respectable and credible gentleman, a married man, and father of a family, who was one of the jury, that such did nevertheless exist, and actually caused the acquittal in

question. The jury retired to consider their verdict; and my informant entered the retiring-room about the third or fourth, and found one of the jury, who had already entered, lying on the table, on his back, with his arms folded, who said, 'Well, my mind is made up;' another followed, and immediately lay down on the floor, saying, 'My mind is made up;' and when all got into the room, the jury were talking about indifferent matters concerning their own business for about twenty minutes, when the foreman called their attention to the case, and said, 'Come, gentlemen, let us to business;' when they repeated, 'Their minds were made up;' one giving as his reason, that he had known the boy's father for many years—another, that he had known the boy's mother for many years—and a third, that he had known the boy from a child. Three of the jury, including the foreman, were of opinion that the prisoner was guilty; and nine, of whom three were certainly convicted persons, for acquittal; the remaining six appearing to be led in their opinion by two of those three: but from their conversation during the time they were confined together, it appeared to my informant that the whole nine persons were of that class; and it farther appeared to him, that they were predetermined to acquit the prisoner, right or wrong."

Thirdly. Because the crime most frequently committed in New South Wales being cattle-stealing, and because persons who commit this crime being frequently able, through their previous and successful iniquity, to practise all the arts of bribery and corruption, the appointment of emancipated convicts as jurymen, in



criminal cases, is nothing more nor less than a direct encouragement and incentive to the practice of these nefarious arts, and a sure means of lowering the standard of morals, as well as of rendering all property in agricultural and grazing stock, which in great measure constitutes the wealth of the colony, more and more insecure throughout the territory. Mr. Justice Burton particularly alludes in his letter to the number of publicans appointed to serve on juries throughout the colony. These persons are chiefly of the class of emancipated convicts, and are not unfrequently of the lowest grade in society; and connected as they are in the way of their business with the whole class of unconvicted cattle-stealers, whose usual place of resort is the public-house, it is dangerous in the highest degree to the community to entrust the administration of justice to their polluted hands. In the list of qualified jurors for the county of Cumberland, in New South Wales, for the year 1835, there were no fewer than two hundred and three publicans out of nine hundred and fifty-three; and as a much larger proportion of this class of persons actually serves on juries than of other classes of inhabitants, the amount of work they have to perform in the dealing out of justice, forsooth, to the Australian public, is by no means inconsiderable. In panels of thirty-six and forty-eight persons respectively, of whom only twenty-six and thirty-one persons actually appeared or served, there were no fewer than eight publicans in the one case, and ten in the other; that is, every third person liable to be called on to try any particular case of cattle-stealing was a publican—a man, who, in all probability, lived

upon the custom of such persons as the cattle-stealer! Nay,—for this is not the whole of the enormity of the system,—the cattle-stealer's lawyer, who is a very shrewd fellow, and who, in order to attract as much of this sort of practice as possible, has given out "*that he, for one, will make no distinction between the free and the freed,*" challenges every reputable person on the list who he has reason to fear will not acquit his client, till he obtains a jury for him to his mind!

"If a prisoner has professional assistance in his defence," observes Mr. Justice Burton in his letter above-quoted, "this right of challenge is very freely exercised. In one instance I observed gentlemen of such character and respectability thus peremptorily rejected on the part of a prisoner, that I took the liberty of asking some of them afterwards if the prisoner were known to them; and was answered that he was not: the conclusion in my own mind was, that they were challenged on account of their respectability. In another case before me, every person of apparent respectability who was called, was peremptorily challenged on the part of the prisoner, which, the Crown officer observing, challenged all the others; and the case remained over for default of jurors. In both cases the accused had professional assistance."

Finally, there is no necessity whatever for having recourse to so suspicious a mode of administering justice in New South Wales any more than in England.

"I have no doubt," says Mr. Justice Burton, "from all I have seen and known of the resources of this colony in the number of its respectable inhabitants, that there

are abundance for the establishment of the jury system here, upon a basis which must command the respect and confidence of all classes; and I know no reason why juries in New South Wales should not and cannot be constituted of men equally *omni exceptione majores* as in any country in the world; but I know many reasons why they should be so constituted here more especially than in any other, if (which, however, I do not admit) that principle can any where be departed from, and the administration of justice committed to other hands."

The number of reputable free emigrants is now very considerable in New South Wales, and will rapidly increase for the future, through the measures that are now in progress in the colony, for the encouragement and promotion of immigration. The plea of necessity therefore cannot be allowed for having recourse to such jurymen as emancipated convicts are likely to make in the great majority of criminal cases in New South Wales. In his letter to the colonial government on the working of such juries, the Chief Justice, with whom the measure is commonly understood to have originated, acknowledges that "there have certainly been from time to time improper persons impanelled on these juries;" but maintains that "the fault is not in the law, for *the jury law of the colony is in principle the same as the jury law in England*: it is attributable to the neglect of those persons, to whom the care of returning persons properly qualified has been committed." I have shown, however, that the cases of England and of New South Wales are by no means parallel, and

that the error committed by the colonial legislature, at His Honour's suggestion, is an error *in point of principle*, to be charged against the law-makers ; and not a mere error of *practice*, to be charged upon the law-administrators. I would suggest, however, as a matter of grave consideration to those who coincide with His Honour in this ultra-liberal opinion, whether, on the principle of the law of England, that *a man shall be tried by his peers*, a man who has been convicted of a felony and has suffered the punishment of the law, is to be considered as *the peer* of a man who has never been so convicted, and who stands upon his trial with a previously unblemished character, for the first time. For my own part, I confess that I utterly abhor all such *colonial peerage*.

Why, if the emancipated convict juror is not *the peer* of the free emigrant or native of the colony who stands before him on his trial for an alleged felony or misdemeanour, is it not clearly the interest of such a juror *to make* the prisoner *his peer*, by giving him the benefit of a conviction, and by thereby reducing him to his own original level in colonial society ? Such sentiments, I acknowledge, imply a low opinion of human nature ; but such an opinion, I am sorry to add, is the one which experience and observation coincide with divine revelation in inducing us to form.

The Chief Justice concludes the letter I allude to by intimating his belief that " the objections which are felt to this constitutional form of trial are partly political." For my own part, I disavow all political feeling on the subject ; which, I conceive, is one on



which the honest tory, the honest whig, and the honest radical will all think alike. As a proof of the identity of the *moral* feeling of honest men of all parties on this subject, let the reader peruse the following extract of a speech, in favour of universal suffrage, delivered by the late Mr. Cobbett, at Preston, as reported in the "Morning Herald" of the 20th of May, 1826:—"Let every man come to age have a vote—every man who is not incapacitated by infirmity—every man who is not a criminal, *who has not been a felon*;—every innocent man in the community is entitled to vote at elections."

Mr. Cobbett could not surely be accused of a want of liberality in his politics; on the contrary, he was a radical of the highest caste; and yet, by his own showing, he would not have allowed any *man who had been a felon* to vote at elections, that is, to be one perhaps of a hundred thousand persons entrusted to vote for a member of parliament for some great city or county. Is it conceivable, then, that he would have allowed a man of this description to occupy the far more important and far more deeply responsible situation of a juryman, i. e. to be one of twelve persons entrusted with the life or the liberty or the reputation of a fellow subject? "The execution of the laws," says President Jefferson, another radical of as high a form as Cobbett, "is of more importance than the making them." \*

I suspect, however, that the political feeling to which the Chief Justice alludes, is chiefly on the other side,

\* Jefferson's letter to M. l'Abbé Arnond, "Memoirs and Correspondence," vol. III. p. 9.

and that it is mainly to an overweening desire to be *ultra-liberal* that the enactment of the present colonial jury law is to be ascribed.

I may remark in passing, that however much trial by jury may be thought of in England, I have no hesitation in expressing my opinion that there has been a great deal too much of it in New South Wales ; and that it would have been much more conducive to the administration of justice and to the moral welfare of the whole community, had a large proportion of the criminal cases that have occupied the attention of colonial judges and juries, and filled the pockets of colonial barristers and attorneys, been disposed of, as they ought decidedly to have been, by courts of summary jurisdiction. To entail an enormously expensive establishment of three judges, with all the other paraphernalia which such an establishment implies, besides a Court of Quarter Sessions, on a colony of not more than eighty thousand inhabitants, including convicts ;—that men who have been found guilty of felony in England, and been transported, perhaps for life, may have it in their power to avail themselves of all the legal chicanery, of all the bribery and corruption, of all the perjury and subornation of perjury, that a convict colony can enable them to make use of to escape the punishment justly due to them for fresh crimes committed in that colony ;—is a state of things so absolutely monstrous, that it can only be tolerated so long as the respectable inhabitants of New South Wales are precluded from exercising any control over the expenditure of those funds which they contribute so liberally

to the public treasury of the colony, and which are annually appropriated for the maintenance of expensive establishments, which, under the pretence of dispensing justice, are in fact demoralizing the community. Let the free emigrant and the native of the colony by all means have every advantage which the law of England secures to the free subjects of the realm ; but let the man who arrives in the colony in the character of a convicted and transported felon be tried, when accused of fresh crimes or misdemeanours in the colony, by a Court of Quarter Sessions, in the way of summary jurisdiction. The uniform impression on the part of judges in the mother country, at least in Scotland, is, that the convict who commits fresh crimes in New South Wales is uniformly treated in a very summary manner ; and the general prevalence of this impression implies that it is the general opinion that it is just and right that he should. There is no opinion, however, more completely unfounded : the criminal who can command a little money in New South Wales has chances of escape which he could never have in England, and these chances are only multiplied by the very means that are used by the Government to provide justice for all.

A single glance at the result of the criminal prosecutions in the colony before the Supreme Court and the Courts of Quarter Sessions, for the year 1835, will satisfy the reader of the truth of these remarks. The number of prisoners tried before the Supreme Court, during that year, was 398, of whom only 228, that is, little more than one half, were convicted ; viz., 124 by

civil, and 104 by military juries; for, in addition to all his other chances of escape, the prisoner in New South Wales has the liberty of choosing what sort of jury he shall be tried by! The number of persons tried during the same period before the Courts of General Quarter Sessions was 1155; viz., 856 by civil and military juries, and 299 in the way of summary jurisdiction. Of the 856 jury cases, the convictions amounted to 536, that is, to about five-eighths of the whole number; whereas of the 299 cases of trial by summary jurisdiction, that is, before the Chairman or Judge of the Quarter Sessions and certain magistrates, the convictions amounted to 243, or to twenty-four twenty-ninths of the whole number. In all these cases the criminals tried are almost uniformly of the same class, while the evidence adduced is of a similar kind in them all and of similar value. But through the improper extension of trial by jury to cases in which it ought never to have been had recourse to, the chances of escape are only increased to the criminal in proportion to his criminality; and to the costliness and the elaborate character of the judicial machinery employed by the executive government to ensure the dispensation of justice to the community.

In connexion with the subject of judicial reform, which certainly calls for the speedy interference of the legislature in New South Wales, I shall briefly notice certain efforts that are now making by the colonists generally for obtaining a better *instrument of Government*, (to use an appropriate phrase of Oliver Cromwell) than has hitherto been accorded to that colony.



The *instrument of Government* in the colony of New South Wales is a legislative council of fifteen members, consisting of the Governor and seven officers of the Government, together with seven other members selected from amongst the respectable inhabitants of the colony, *exclusively by the Crown*. Now, antecedently to all such considerations as the extent of the population of the colony, the amount of its revenue, and the desirableness of having its affairs managed by able and efficient hands, it is morally impossible that a legislative body, *constituted in this manner*, should enjoy the confidence of a large and rapidly increasing commercial and agricultural community, however intelligent and well-intentioned its members may individually be. It is accordingly a fact universally admitted in New South Wales, that the Legislative Council of that colony possesses in no degree whatever the confidence of the community. In such circumstances, the very existence of such a body cannot fail to be a subject of serious grievance, and a source of perpetual dissatisfaction on the part of no inconsiderable portion of that community, in an age especially of liberal opinions and popular institutions; and it is surely not the policy of His Majesty's Government to allow such a grievance to exist, or such dissatisfaction to prevail, in a colony whose commerce is already so valuable to the mother country, as that of New South Wales already is to Great Britain.

If the reader should imagine that a Legislative Council, constituted in the manner I have described, is a sort of intermediate step between a Governor acting

entirely on his own judgment and his own responsibility, and a popular government appointed in some way or other by the community, he is altogether mistaken: it is more frequently a step farther from the enjoyment of those popular rights, that are so highly and so deservedly prized in the present age, than a step towards it. In the hands of a Governor like Sir Richard Bourke—a man, whose keen perception of right and wrong is accompanied with considerable energy of character and an evident desire to promote the welfare of all classes in the community—the characters, the interests, and the liberties of the colonists would be comparatively safe; for,

*Nunquam libertas gratior exstat*

*Quam sub rege pio;*

“liberty is never more agreeable to the subject than when enjoyed under the government of an absolute but virtuous ruler.” But the system of a legislative council is, in comparison with such a state of things, a change decidedly for the worse, inasmuch as it relieves the Governor of his personal responsibility—one of the best incentives to good conduct that can possibly be devised—and places that responsibility no where else, or, in other words, gets rid of it altogether. In short, of all forms of government, an irresponsible oligarchy, or, in other words, a legislative council, constituted like that of New South Wales, is unquestionably the worst in theory; and there are not wanting instances to demonstrate its being equally objectionable in practice. Nay, so thoroughly convinced of this political truth

were the Danish people, that, in order to deliver their country from the miserable oligarchy by which it was oppressed in the seventeenth century, they actually adopted the unheard-of procedure of making a voluntary surrender of their liberties into the hands of the sovereign, and constituted him by their own voluntary act a despotic monarch.

It is preposterous in the highest degree to talk of the independence of a body constituted like the legislative council of New South Wales. It is not in human nature for a man, who is either nominated or paid by the Government, to sit in judgment, with any thing approaching to a feeling of independence, on the measures proposed to him for his consideration and approval by that very authority to which he owes his political existence as a councillor, or his pay as an officer of the Crown.\* He neither is nor can be a free agent, however he may persuade himself that he is so; but the government officers in the Legislative Council of New South Wales are not so bereft of common sense as to have any such persuasion. They know well,—and if the fact is not strangely belied by common

\* The late Attorney-General of New South Wales, on being referred to for his opinion on some matter of law, in which he shrewdly imagined the Government were likely to take some interest, instead of giving his opinion directly, asked the person consulting him, "Pray, do you know what the Governor thinks on the subject? He is an excellent lawyer." His Majesty's Attorney-General, who is a member of the Legislative Council, *ex officio*, rightly conceived that he had no right to hold an opinion on any subject of the kind till His Majesty's representative had declared his: and yet people will tell us that the Colonial Government is not an absolute government.

report, they have been given to understand,—under the present as well as under the past administration, that they hold their office as members of the Legislative Council to *vote for* the Government measures, and not to *discuss* them. In fact, the Tory device of a Governor and a Legislative Council, appointed, like that of New South Wales, by the Crown, is utterly unworthy of a Whig administration ; inasmuch as it is nothing more nor less than an ingenious device for investing a Governor, or perhaps the mere agent of a Secretary of State, with absolute power, and for concealing the fact of his possessing such power from the people he governs. In the former of these objects the device is completely successful, as it occasionally enables Governors to do what they would never attempt on their own responsibility : in regard to the latter, however, it is too gross to deceive any person ; and the colonists have therefore to make up their minds to live under an absolute government.\*

Besides, the very mode of their appointment necessarily precludes the members of the Legislative Council of New South Wales from attempting any thing of importance for the real welfare of the country, or from acting, on occasions of emergency, with the requisite vigour

\* It is somewhat singular that Governor Macquarie should have been so much opposed, as he appears to have been, to the appointment of a Council in New South Wales. "I feel great satisfaction," he observes in a letter to Earl Bathurst, of date June 28, 1813, "at the determination of His Majesty's Government in not acceding to the recommendation of the Select Committee of the House of Commons, in regard to the Governor of this colony being assisted by a Council. *I indulge a fond hope that this measure will never be resorted to in this colony.*"



and decision. For several years past there have constantly been accumulations of unappropriated revenue in the colonial treasury-chest of from £50,000 to £150,000. such accumulations are doubtless a serious grievance to the community, in a country in which money bears ten per cent interest, and in which public works of various kinds are in constant requisition for the general advancement of the colony; and they would certainly never have taken place under a popular government,—a government having confidence in itself and possessing the confidence of the public. In short, the Legislative Council of New South Wales is altogether destitute of that self-confidence which is requisite on occasions of emergency, and it will consequently lie as a dead weight on the energies of the country, and stand as a serious bar in the way of its prosperity and advancement so long as it exists.

A good Governor would have nothing to fear from a popular government in New South Wales. Indeed, I am confident there is no colony in the empire in which a Governor would be treated with greater liberality by any body representing the colonial community, or in which the measures he might propose for the general welfare would be received with greater deference. In fact, there is very little debateable land between the Governor and the colonists in New South Wales; and if the views and opinions of the latter, in regard to the public welfare, were only allowed expression, they would be found generally, if not uniformly, to coincide with those of the Government.

While it is thus universally admitted in New South

Wales that the Legislative Council of that colony possesses in no degree whatever the confidence of the community, it is decidedly the opinion of all intelligent persons in the colony, that nothing would tend more powerfully or more directly, than the establishment of some popular form of government in the colony, to develop its vast resources, to increase the number of the industrious and virtuous portion of its inhabitants, and prodigiously to accelerate the rate of its progressive advancement.

The population and produce, the trade and commerce, the revenue and expenditure of New South Wales sufficiently demonstrate the maturity of that colony for some popular form of government, and the inexpediency of any longer entrusting the entire management of its affairs to any one individual, as is virtually done at present, however able and honest that individual may be. I shall have occasion, in the course of the next chapter, to point out the actual state of the colony at the present moment, in reference to the different particulars I have just enumerated: at present, I shall only advert to the single item of revenue, which at present amounts to considerably upwards of a quarter of a million sterling; the colonial revenue having more than quadrupled itself during the last ten years. The annual appropriation of so large an amount of public money is surely too serious an affair to be entrusted to any one man; for as to the other members of the Legislative Council being a check upon the Governor, or as to their having any influence whatever in the appropriation of the colonial funds, the idea is

too preposterous to be entertained for a moment. Why, not one of these members can originate a single measure of importance without the Governor's express permission; and as to the government officers, who constitute so large a proportion of their whole number, it is as much as their situations are worth to oppose any measure that the Governor has proposed.

I should not perhaps have ventured to express myself so strongly on this subject, had I not felt assured that Sir Richard Bourke, as a genuine whig, coincides entirely in such sentiments, and has accordingly encouraged the colonists in their recent efforts to obtain a more popular form of government than they now enjoy; sincerely desirous, as His Excellency doubtless is, of carrying along with him the sentiments of the public, and feeling, as he cannot help doing, that the government, as at present constituted, possesses neither their confidence nor their respect. The efforts I allude to have been made by two different parties among the colonists, and directed towards the attainment of two different objects; the one party desiring that a Representative Legislature, or House of Assembly, should be constituted forthwith, and the elective franchise extended as widely as possible among all classes of the free population; the other desiring only an extension of the present Legislative Council, and an augmentation of its powers. The former of these parties of course comprises all the liberals of the colony, including the whole body of emancipists, with many free persons of questionable character and doubtful respectability: it is headed by Sir John Jamison and Mr.

Wentworth the barrister, and its approved organ is the Patriotic Association, a sort of colonial Rag-fair, attended by all the blustering attorneys of the colony.\* The latter, of course, includes all the colonial Tories, together with a large proportion of the other respectable inhabitants of the territory, who would doubtless more willingly subscribe themselves Whigs, but who shrink with repugnance from the disreputable associations into which the other party would lead them, and who regard

\* To withhold from a whole community what is manifestly their right is often a strong temptation to individuals of the *agitating* or O'Connell family, to do what is manifestly wrong. We have the honour of having a branch of this family in the colony; its members belong chiefly to the legal profession, and the inscription on their flag is *Lex Rex*, a motto which signifies in the Anglo-Australian dialect, *Let the chief authority be in the hands of the lawyers*. But how much soever such a consummation may be devoutly wished by certain gentlemen of the long robe in the colony, I believe all moderate men throughout the territory regard it as one supremely to be deprecated; for *e quovis ligno Mercurius fit*; i. e. "a blustering Australian lawyer, who has the liberties of the people always on his tongue, but nothing farther from his heart than their real welfare, may be manufactured out of a very indifferent piece of colonial timber." I should be sorry indeed to bring a sweeping charge against the legal profession of the colony, in which I am most happy to state that there are gentlemen, both on the Bench and at the Bar, who are not less honourably distinguished for their moral than they are for their intellectual pre-eminence: still, however, a regard to truth compels me to adopt the adage of the old Roman, *Cedant arma togæ*, or, in plain English, "The New South Wales corps, outrageously immoral as certain members of that body undoubtedly were, have individually done less to demoralize the colony than certain patriotic members of the colonial Bar." The *Lingua Franca* of modern patriotism may be learned, like certain improvements in the art of writing, in three lessons; and it has this peculiar excellence to recommend it besides; that it may be spoken loudly and fluently by men of any character, and with the foulest tongue.



with well-founded suspicion certain of the individuals who are permitted to assume the direction of its affairs.

For my own part, having, in accordance with my own views of clerical duty, attached myself to neither of these political parties—having never attended any of their meetings nor signed any of their petitions—I have no hesitation in declaring, as an unprejudiced spectator, that I entertain no fears for the general welfare and advancement of the colony, whether the people of the Patriotic Association on the one hand, or the petitioners for a mere extension of the colonial council on the other, should succeed with the Home Government in the attainment of their object. In the one case, supposing that authority should be given to constitute a colonial House of Assembly of fifty members, and that these members should be chosen by all free persons possessed of property in the colony, there is reason to believe that not more than three or four emancipists would find their way into the representation, while it is more than probable that not a single individual of that class would be elected. In short, I confess I should entertain no apprehensions from the extension of the legislative franchise to emancipated convicts possessed of property in the colony ; although, on the principle of President Jefferson, that “ the execution of the laws is of more importance than the making them,” I should strongly object to the appointment of such persons as jurymen. And as the colonial press has recently exercised a moral influence previously unknown in the colony, I should consider that important engine, provided it were only well and honestly managed, sufficiently powerful

to make the members of a colonial legislature, constituted in the manner proposed, *keep their house in proper order*. On the other hand, supposing that in accordance with the declared wishes of the other petitioners, His Majesty's Government should merely extend the Legislative Council and increase its powers, I have reason to believe that sufficient provision would thereby be made for the good government of the colony for the next five or seven years; especially as Sir Richard Bourke has already secured the general welfare of the colonists in the grand interests of general education and religious instruction. Public opinion, and its organ the public press, would render a council of thirty members, *properly appointed*, and with increased powers, a sufficiently good *instrument of government* for a time, in the present condition of the colony.

Indeed, as the colony is evidently at this moment in a state of rapid transition; as the proportion of its free emigrant population is fast increasing, and will probably be doubled in the course of the next five years, through the measures that are now in progress for the encouragement and promotion of emigration to the colonial territory; and as the whole aspect and character of its society will consequently be in all likelihood completely changed, and the influence of the emancipists, as a separate and influential class in the community, completely neutralized within a limited period; it appears to me that it would be much better for all parties to constitute a temporary government, such as an extended council with increased powers

would form, than to construct a House of Assembly in the first instance. If ten members, for instance, of a Legislative Council, to consist of thirty members, were to be nominated by the Crown, and the remaining twenty to be chosen by the magistrates of the territory, I am confident that all the purposes of a House of Assembly would be answered equally well, and with much greater quietness, for five or seven years to come; while, at the end of that period, the colony would be much fitter for a Representative Legislature, to be constituted on a broader and more popular basis, than it is at the present moment. The number of magistrates in the colonial territory is at present 162: they could doubtless be increased to 200 with advantage to the colony, and with additional security for the maintenance of whig principles in the colonial administration; and such a body of electors as they would thus form would, I conceive, be sufficient to meet the present wants and to answer the present wishes of the reputable portion of the inhabitants of New South Wales.

There is no service for which the interference of a popular government is more necessary in that remote dependency of the empire, than that of reducing the salaries of the *future* Government officers of the colony; for it is a wise maxim of Government in such cases, that existing interests shall not be interfered with. These salaries have all been fixed on the old tory scale of oriental magnificence; insomuch that the Governor of a convict colony of from thirty to forty thousand inhabitants—the amount of the colonial population during

the government of General Darling—was allowed a salary of five thousand a year; that is, a salary equal to that of the President of the United States of America! With the highest possible respect for the present Governor, I entirely agree with Mr. Wentworth, in thinking, that “five thousand a year is a sum which the people of the colony would look at for a very long time before they voted it to any Governor.” I apprehend they would look still longer at *two thousand a year*, before they voted any such sum to a Chief Justice, a Bishop, or a Colonial Secretary. Salaries of so extravagant an amount serve only to encourage and to maintain an expensive style of living, of the worst possible example in a young colony; and the Government officers of New South Wales are notoriously chargeable with having set that pernicious example to the colonial population. With the exception of the Governor and the Chief Justice, there ought decidedly to be no salary above a thousand a year in the Australian colonies. Those who cannot afford to serve His Majesty for that amount in these colonies should be taught to seek for promotion somewhere else: at all events, the people of New South Wales have hitherto had to *pay a great deal too dear for their whistle.*



## CHAPTER IX.

VIEW OF THE AMOUNT AND DISTRIBUTION OF  
THE COLONIAL POPULATION, OF THE PRODUCE  
AND TRADE, AND OF THE REVENUE AND EX-  
PENDITURE OF NEW SOUTH WALES.

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Nullus in orbe sinus *Baiis* præluceat amœnis.

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HORACE.

IN exhibiting a general outline of the present state of the colony, the first subject of interest that presents itself is the amount and distribution of its population. The population of New South Wales amounted in the year 1800, at the close of Governor Hunter's administration, to between 6000 and 7000 persons: at the commencement of Governor Macquarie's administration, in the year 1810, it amounted to 10,000, or thereabouts, a number which was more than doubled during the next ten years; the population in the year 1820 having amounted to 23,939: at the close of Sir Thomas Brisbane's government, in the year 1825, it amounted to 36,366; and in the year 1833 (the intermediate census of General Darling, taken in the year 1828, being evidently incorrect,) it had amounted to 60,794. In the Appendix (No. 10) there is an abstract of the census

of 1833, exhibiting the relative proportions of the different classes to which the colonial population belongs, with the population of Sydney for the year 1833, and an estimate of the amount of the general population up to the 30th of June, 1836: from which abstract it appears,

1. That two-fifths of the whole population of the colony consists of convicts in actual bondage; the remaining three-fifths consisting of free emigrants, natives of the colony, and persons who have become free either by servitude or by pardon.

2. That the disproportion of the sexes, which has of late been so much talked of in England, is confined chiefly to the class of convicts; the relative proportions of free males and females for the year 1833 being 22,798 males, and 13,453 females, a disproportion which has been greatly diminished by the arrival of numerous free emigrant females in the colony during the last three years; while the relative proportions of male and female convicts were 21,845 males, and 2,698 females. But as a considerable proportion of the free male population of the colony consists of emancipated convicts, it is almost exclusively to the convict and emancipated convict classes that the disproportion of the sexes is confined. It is evidently, therefore, not to become the wives of the free emigrant and native born male inhabitants of the colony, that whole cargoes of free emigrant females have been trepanned in England during the last few years, and sent out to New South Wales to push their fortunes. A few of these females may doubtless be eventually

settled in this way; but the great majority go out, in reality, (at least, such is the result of their emigration,) to be the wives or paramours of ticket-of-leave men and emancipated convicts. No person certainly has any right to prevent young women from emigrating from the mother country for such a purpose; but let them do so, at all events, with their eyes open.

3. That rather more than a fourth of the whole population of the colony consists of Roman Catholics. This religious denomination in New South Wales consists almost exclusively of convicts and emancipated convicts with their families; the number of free emigrants of the Roman Catholic persuasion having been very small. It is also worthy of particular observation, that the number of *Roman Catholic convicts* arriving in New South Wales by convict ships from *Protestant England* amounts to ten per cent of the whole number, while the *Protestant convicts* arriving by convict ships from *Roman Catholic Ireland* amount to only five per cent. I have no means of ascertaining the proportion of Roman Catholics as compared with the number of Protestants in Great Britain: surely, however, they do not amount to one tenth of the whole population of the island. At all events, it has recently been ascertained, that the proportion of Protestants as compared with Roman Catholics in Ireland is as 1 to  $4\frac{1}{2}$  nearly; but the proportion of Protestant as compared with Roman Catholic convicts from that island is only as 1 to 20.

The population of New South Wales is partly concentrated in towns, and partly dispersed over the whole extent of the colonial territory. The latter portion of

the colonial population is employed almost exclusively in the pursuits of agriculture and grazing; the former, exclusive of the military and the officers and clerks connected with the public service, chiefly in mercantile pursuits, in the practice of the various mechanical arts, in dealing and shop-keeping, &c.

The capital of the colony, and the seat of the colonial government, is the town of Sydney, which at present contains a population of from 18,000 to 20,000 souls. The town of Sydney is beautifully situated on Sydney Cove, one of the numerous and romantic inlets of Port Jackson, about seven miles from the entrance of the harbour. The heads of Port Jackson, or the headlands at the mouth of the harbour, constitute one of the grandest and most interesting features in the natural scenery of the country. To a person approaching the land from the eastward, the coast presents an apparently unbroken line of lofty, precipitous, sand-stone cliffs, along the base of which the big waves of the vast Pacific Ocean dash fearfully when the wind blows strongly from the eastward; causing dense volumes of spray and whitish vapour to ascend to the summits of the highest cliffs all along the coast. The entrance is designated, at a considerable distance at sea, by the light-house, or Macquarie tower,—a circular building of cut stone, surmounted by a lantern with a revolving light, situated on the South Head; but no opening of any kind can be perceived till you come close in with the land. At a small distance from the Heads, however, an opening is at length perceived in the iron-bound coast; and the idea you unavoidably form of it is,



that the cliffs on either side have been violently rent asunder by some mighty convulsion of nature, to afford a passage for vessels into some place of security :—

*Hinc atque hinc vastæ rupes, geminique minantur  
In cælum scopuli, quorum sub vertice late  
Æquora tuta silent.* VIRG.

High on the right and left, tremendous rocks  
Tower upwards to the heavens, beneath whose cliffs  
The sea sleeps placidly.

The entrance at the Heads is about a mile and three quarters wide ; but the height of the cliffs and the idea of boundlessness which the ocean scenery has previously impressed upon the mind make it appear much narrower. On getting round Middle Head, a point of land stretching out from the southern side of the harbour, and completely concealing the opening from the eye of an observer at a few miles' distance at sea, the scene surpasses description. You immediately find yourself on the bosom of a large lake, extending to a great distance in a westerly direction, with innumerable coves or inlets stretching inland to the right and left ; some presenting sandy beaches and grassy lawns ; others lined with a barrier of gray rocks cast in the most fantastic moulds, and surmounted in all directions with outlandish but most beautiful shrubbery.

Many of the most interesting localities on the shores of Port Jackson, between Sydney and the Heads, are in the hands of private proprietors ; and the richly and endlessly diversified beauties of nature, which they uniformly exhibit, are in some instances enhanced by the manner in which they appear contrasted with the

tasteful habitations of men. Several neat cottages have been erected by the pilots of Sydney, on a sandy beach immediately behind the South Head. A little nearer the town is the picturesque cottage of Vacluse, the residence of Mr. Wentworth the barrister; and somewhat nearer still is the splendid villa of Point Piper, formerly the residence of Captain Piper, Naval officer of the colony. On Woolloomoolloo Hill, an elevated projection of the land, situated between Woolloomoolloo and Elizabeth bays, about a mile from Sydney on the same side of the harbour, most of the civil officers of the colony have built houses of respectable appearance, on allotments granted them for the purpose by the late Governor, the view of which from the water is highly interesting and enlivening: and on the opposite side of the harbour, or what is called the North Shore, a few handsome cottages have also been erected, besides wharfs and stores belonging to merchants in Sydney connected with the fisheries and the New Zealand trade.

The town of Sydney, which received its name in honour of Lord Sydney, His Majesty's Principal Secretary of State for the Colonies, at the time when the territory was taken possession of for Great Britain, was originally confined to the immediate neighbourhood of the cove of the same name, which extends only a short distance inland in a southerly direction from the main harbour. At the entrance of the cove there are forts—of no great strength however—on the extremities of the two ridges that form its eastern and western shores; the one called Dawes' Battery, and the other

Fort Macquarie. At the head of the cove these ridges attain a considerable elevation; and on their sloping sides and towering summits, as well as in the valley between, the town of Sydney now extends nearly two miles from Dawes' Battery to the southward, the ridges gradually subsiding till the ground becomes nearly a dead level. The principal streets run in a northerly and southerly direction, parallel to that of the ridges, and are crossed nearly at right angles by other streets, that terminate in a second and much more extensive cove to the westward, called Cockle Bay or Darling Harbour. In short, there can scarcely be imagined a finer situation for a large mercantile city; and it is much to be regretted that so little advantage was taken, in the earlier years of the colony, of its admirable locality, and so little attention evinced in laying down a proper plan for its gradual extension.

Of the public buildings in Sydney there are few that deserve particular notice for their architecture. In design and execution the Australian College buildings, erected by a number of free emigrant Scotch mechanics, in the year 1832, on the plan generally pursued in the new town of Edinburgh, are perhaps the first in the colony. These mechanics, however, have since been the means of effecting a very striking improvement in the architecture of the town; and buildings are now erecting both in Sydney and in various other parts of the territory of a much superior character to any previously erected in New South Wales. The Sydney market-buildings, erected chiefly by the Scotch mechanics, and consisting of a double range of covered sheds, in

the Grecian style of architecture, for the accommodation of persons exposing goods for sale in the Sydney market-place, would almost bear comparison with any buildings of the kind in England. Government House is merely a large and rather ancient cottage, occupying a beautiful situation on the eastern side of the cove, but scarcely suited for the residence of the Governor: it is to be superseded forthwith by a building somewhat more in accordance with the rapidly increasing wealth and importance of the colony. St. James' Church is a plain brick-building with a tall and rather handsome spire. The Court-House, and a large building intended for a Charity School for the town of Sydney, were erected in its immediate neighbourhood at the recommendation of Mr. Commissioner Bigge, that the whole might appear a single pile of building and have a more imposing effect: the effect, however, is any thing but imposing, the three large masses of brick-work being brought into juxtaposition without the least taste or judgment. The Roman Catholic Chapel is an ambitious edifice, built of hewn stone in the form of a cross, and occupying a very conspicuous situation when viewed from the water. The Sydney College, of which a large hall or class-room, with a house for the head master, is all that has yet been erected, will also be a fine building when completed—more creditable, indeed, for its design than for its execution. The Scots Church is a plain substantial edifice of free-stone, in the Gothic style, with a square tower or belfry. A second place of worship for the Presbyterians of Sydney, also in the Gothic style of architecture, has recently been erected



in the southern part of the town. A third episcopal church for the same neighbourhood is probably now in progress ; and a Baptist Chapel, in the Grecian style, has recently been completed. The Prisoners' barracks is a large and substantial brick building, very creditable to the architect, Mr. Greenaway, as is also the Carters' Barracks. The General Hospital I have already mentioned elsewhere.

It is from the daily increasing number, however, and the daily improving character of the various private buildings that have recently been erected or are now erecting every where in the town of Sydney, that a proper idea can be formed of the present state and the rapid progress of the Australian capital. Wharfs for shipping, of the most substantial structure, warehouses of large dimensions and costly architecture, shops emulating those of Bond-street in the British metropolis, dwelling-houses of every variety of form, public-houses, windmills, steam-mills, &c. &c. : in short, buildings of every kind that may be supposed necessary in a busy, bustling, commercial sea-port town, are erecting or have recently been erected in all parts of Sydney—many of them of brick, and not a few of cut stone ; and the demand for such buildings is daily increasing.

The minimum price of building-ground belonging to Government in the town of Sydney is £1000 per acre ; but allotments in eligible localities generally sell at a much higher price : indeed, as much as £10,000 to £20,000, and even £30,000 an acre has been obtained for corner allotments in peculiarly eligible situations.

All sorts of mechanical arts and occupations are pursued in Sydney; and shops of all kinds are to be found in almost every street, as in the busiest sea-ports in the mother country. Indeed, it would be somewhat difficult to enumerate the various branches of business that are followed in the Australian capital, and to particularize the different modes by which the industrious portion of its inhabitants obtain a livelihood. There are no fewer than six steam flour-mills in or near the town, besides a number of windmills on the heights around it. There are soap-manufactories; manufactories both of tallow and sperm candles; founderies on a small scale for casting either brass or iron; breweries for the manufacture of Australian beer, either from sugar or from malt; distilleries for the manufacture of colonial gin from maize and barley; rope manufactories; tanneries; hat manufactories, &c. &c.; while the roads of the colony are traversed in every direction by coaches and vehicles of all other descriptions built in Sydney. Besides, all the mechanical arts that are in requisition in house-building and in the furnishing of houses, as well as in the building, equipment, and repairing of vessels, are successfully practised in Sydney, and afford a comfortable subsistence to a large and daily increasing number of industrious and reputable families.

House-rent is still considerably higher in Sydney than in most parts of the mother country. A good house in Sydney, of the description of a clergyman's manse in Scotland, would rent for £100 a year: a few years ago it would have let for £140; but the influx of mechanical labour into the colonial market, during the

last few years, has already had considerable influence in lowering this serious item of expenditure in the domestic economy of the Australian capital.

There is a market held twice a week in Sydney, in which all sorts of goods and produce are exposed for sale by settlers or the servants of settlers from all parts of the interior, as well as by the numerous dealers in the town. The corn and cattle market, for horses, sheep, cattle, pigs, grain, hay and straw, is held at the southern extremity of the town; the general market is situated somewhat nearer the harbour; and the large and commodious suite of buildings recently erected for the accommodation of the numerous frequenters of that busy scene not only forms an appropriate ornament to the town, but affords a large annual revenue to the government. Grain and dairy produce of all kinds, eggs and poultry of all descriptions, potatoes, pumpkins, melons, apples, pears, peaches, apricots, oranges, lemons, loquets, grapes, figs, cherries, strawberries, native currants, with all the variety of vegetables cultivated in the mother country, are procurable in their respective seasons in the Sydney market, at reasonable prices and of superior quality. The town of Sydney is supplied with milk from dairies in the town and neighbourhood, and with fish chiefly from Botany Bay. The latter are brought overland, a distance of seven miles, in carts, and hawked about the streets in wheelbarrows—the cry of “Fish, ho!” uttered in the genuine London style, being one of the standing matin notes of the Australian capital.

There are five newspapers published in Sydney, be-

sides the "Government Gazette," which is published weekly. The "Sydney Gazette" is published three times; the "Herald," the "Monitor," and the "Australian," twice; and the "Colonist" once—a week. There is also a journal published twice a week, and distributed gratuitously, supported entirely by advertisements. A monthly magazine for miscellaneous intelligence has also been in existence since the commencement of the year 1836, and is doing well: it is published by a son of the famous cheap bookseller of Cheapside, London, and is called "Tegg's Magazine." Occasional pamphlets on subjects of local interest are also published in Sydney from time to time; and the black swan of Australia must unquestionably be a tuneful bird, for whole volumes of poetry have already issued from the colonial press.

In regard to the public amusements of Sydney, I have already alluded to the colonial taste for horse-racing, cricketing, and regattas; and it is scarcely necessary to remind the reader, that a taste of that kind uniformly implies a taste for gambling and dissipation. For that portion of the community that delights in such amusements, there is also a Theatre Royal in Sydney. I have heard of *grossièretés* being occasionally exhibited in that fashionable place of resort—a circumstance not at all unlikely in an Australian theatre; but having never been present at any theatrical exhibitions in the colony, I can only presume, from my general knowledge of the character and propensities of certain classes of its population, that if there is little reason to consider the theatre as *a school of virtue* in England, there is no



reason whatever for regarding it in that light in New South Wales.

To those who are addicted to botanical researches, or to those who, like myself, merely delight to contemplate the wonderful works of God, without being very inquisitive about the genus and species of each, the botanic garden and the romantic walks of the government domain in the immediate neighbourhood of Sydney cannot fail to afford a never-failing source of far higher gratification. To wander alone on serpentine walks, traced with the utmost taste\* along the margin of beautifully romantic bays, and through woodland scenes, untraversed so lately save by the naked savage and the solitary kangaroo;—to behold innumerable shrubs of innumerable species, each of which would grace the choicest spots in the garden of a European prince, growing wildly and luxuriantly, and shedding their beautiful flowers unregarded;—to sit on the summit of a gray rock overhanging the silent waters of Port Jackson, while the glorious sun descends behind the distant mountains to the westward, and pours forth a deluge of light on rock, and wood, and water;—in such scenes, when the poet asks, “*O Solitude, where are thy charms?*” one is almost tempted to reply, “*Here! here!*”

It is not very creditable, however, to the dwellers in Sydney, that such scenes should be allowed to remain so entirely sacred to solitude as they have hitherto

\* The principal walks in the government domain at Sydney were planned by Mrs. Macquarie, and formed under her immediate superintendence.

been ; but while it is undeniable that the *schoolmaster* will require to be *abroad* somewhat longer, ere the race of Australians can be expected to go any where in search of the picturesque, there is another very obvious reason for the comparative desertion of the government domain by the inhabitants of Sydney. Every person, who can contrive to get any thing more than a mere livelihood in the colony, forthwith possesses himself of a horse and *shay* for *pleasuring*, to be transformed in due time into a curricule and pair. Till lately, however, the government domain was open only to pedestrians, and was consequently no place for the display of equipages. Besides, a road was formed, during Governor Macquarie's administration, at the expense of the people of Sydney, as far as the light-house on the South Head ; and that road has ever since been the favourite resort of the *beau monde* of the Australian capital. About four o'clock in the afternoon—before dinner in the *haut ton* circles, but some time after it among people of inferior station—all the coach-house doors in Sydney fly open simultaneously, and the company begin to take their places for the afternoon drive on the South Head Road. In half an hour the streets are comparatively deserted ; by far the greater portion of the well-dressed part of the population being already out of town. In the mean time, the long line of equipages—from the ponderous coach of the member of council, moving leisurely and proudly along, or the lively barouche of Mr. Whalebone, the ship-owner, to the *one-horse-shay*, in which the landlord of the *Tinker's Arms* drives out his blowzy dame to

*take the hair arter dinner*—doubles Hyde Park Corner, and arrives on the Corso; while ever and anon some young bachelor merchant or military officer, eager to display his superior skill in horsemanship, dashes briskly forward along the cavalcade at full gallop.

The South Head Road runs along what the colonists would call *the dividing range* between Botany Bay and Port Jackson; and the series of views, which it successively presents, is as interesting and diversified as can well be imagined. On reaching the highest land on the line, the vast Pacific—the broad highway to England—stretches far and wide in front; while the roar of its breakers, as they dash incessantly on the shores of Bundy Bay, a small inlet to the southward of the Heads, is heard almost under foot. To the right, the noble inlet of Botany Bay, with its white sandy beach and its dark-looking heads—standing erect like two negro sentinels—is seen at a moderate distance, athwart a series of swamps and sand-hills, the picture of absolute sterility. To the left, the harbour of Port Jackson, with its hundred arms, appears like a series of highland lakes, changing their aspect, and assuming more and more interesting forms at every step; while the North Head, now seen towering in solitary grandeur, seems like the ruins of some vast fortress built in the ages of fable to guard the entrance of the harbour. In the rear, the town of Sydney, covered with a thin transparent cloud of whitish smoke, curling slowly upwards from its numerous wood fires, occupies a considerable portion of the field

of vision ; while the Blue Mountains in the distance stretch along the western horizon, and terminate the view.

The light-house on the South Head is about seven miles from Sydney ; but the usual termination of the afternoon's drive is on the summit of a hill called Belle Vue, about four miles from the town ; the carriages generally making a circular sweep on the top of the hill, and returning to town in nearly the same order as they left it.

The second town in the colony is Parramatta : it is distant about fourteen miles from Sydney, being pleasantly situated at the head of one of the navigable arms of Port Jackson, into which a small stream of fresh water, scarcely sufficient to turn a mill, discharges itself : it contains nearly five thousand inhabitants. The other towns in the colony are Windsor, Liverpool, Campbelltown, Richmond, Newcastle, and Maitland ; the last of which will doubtless ere long be the second in the colony, as it is situated at the head of the navigation of Hunter's River, and in the centre of the most extensive agricultural and grazing district in the territory. There are other towns, however, in the progress of formation in other parts of the colony, which in a few years will doubtless become places of considerable importance ; as at Bathurst, beyond the Blue Mountains ; at Goulburn and Bong Bong, in the district of Argyle ; at Patrick's Plains, on Hunter's River ; and at Wollongong, in the district of Illawarra.

Three or four stage-coaches and two steam-boats ply daily between Sydney and Parramatta, and there are



also two daily coaches between Sydney and Liverpool—a rising town about twenty miles distant from the capital, forming a thoroughfare for the extensive country to the south-westward. One of the Parramatta coaches proceeds daily to Windsor on the Hawkesbury—a distance of twenty-five miles farther inland; and there are also conveyances of a similar kind from Sydney to Bathurst twice a week, and from Sydney to Yass, a distance of 180 miles to the south-westward. Respectable persons travelling to and from the more distant settlements in the interior generally travel on horseback or in vehicles of their own; and goods and produce are conveyed to and from Sydney on large drays drawn by oxen. The Surveyor-General has been directed, moreover, to construct the future roads of the colony, so as to admit of their being used by locomotive steam-carriages; and it has even been proposed to form railroads for that purpose of the iron-bark wood of the country—a species of indigenous timber remarkable for its hardness and durability.

Between Sydney and Maitland there are three steamboats—the *Sophia Jane*, the *Ceres*, and the *Tamar*—that ply twice a week each with goods and passengers; seventy miles of their course, or the distance between the Heads of Port Jackson and the entrance of Hunter's river, being along the land in the open Pacific Ocean. The *Sophia Jane* was formerly a passage-boat on the Thames, plying between London and Margate, and was brought out to the colony in the year 1831 by Captain Biddulph, a lieutenant in the royal navy, who has since settled in Sydney with his family. The *Tamar*

was also brought out from England ; the *Ceres*,\* which is the largest of the four, and the *William the Fourth*, which now plies between Sydney and Port Macquarie, considerably farther to the northward, having been both built in the colony. All the four vessels, it is generally understood, have done exceedingly well. As a proof of this, there has been a company formed lately, the object of which is to place a vessel of much larger size on the course between Sydney and Hobart Town, Van Dieman's Land, to carry cattle as well as goods and passengers.

For many years after the first settlement of New South Wales, the trade of the colony consisted merely in the importation of such articles of British manufacture or foreign produce as were required for the internal consumption of the settlement. These articles were imported by a few merchants, who had settled in Sydney in the earlier times of the colony, and who sold them to colonial dealers, by whom they were retailed to the inhabitants ; the only source to which all parties looked for their ultimate payment being the expenditure of British money by the government of the colony. This state of things continued until so late a period as the administration of Sir Thomas Brisbane : for, although a few seal-skins, a few tons of oil, and a few bales of wool had been occasionally exported previous to that period, the chief, if not the exclusive source of the expectation of profit, on the part of the colonial merchant, was the expenditure of British money within

\* This vessel has recently been lost on the coast, evidently through great mismanagement.

the colony : and there is reason to believe, that, if a great change had not taken place in the circumstances of the colony at the period I have mentioned, the colonial trade would have remained on much the same footing down to the present day.

The government of Sir Thomas Brisbane, I have already observed, however, was the era of free emigration ; and from that era, the prosperity of the colony and the existence of any thing like a colonial trade may be fairly dated, as it was then that the resources of the country began, for the first time, to be inquired into and developed. The lavish expenditure of Governor Macquarie's administration induced the British Government, about the period I have mentioned, to withhold from the Governors of New South Wales the *carte blanche* they had previously allowed them on the treasury of Great Britain ; and the order of merit was therefore to be worn in future by the Governor who could reduce the expenditure of British money in the colony to the lowest practicable amount. In the mean time, the numerous free emigrants who were daily arriving in the colony were obliged to exercise their ingenuity in obtaining a profitable return for the capital they had expended in the country ; for, as the Government market was daily becoming more and more precarious, in consequence of the diminution of the public expenditure and the rapidly increasing number of competitors, it was absolutely necessary to look out for a market somewhere else ; and the necessity for finding such a market implied the corresponding necessity for raising produce that would be saleable in that market.

It is preposterous, therefore, in the highest degree,

for the persons who attempt to render themselves conspicuous in the colony, by placing themselves at the head of the emancipist body, to talk so loudly as they have done repeatedly to the British Parliament, about what the emancipists have done for the colony. What did they do for it, I ask, during the thirty-three years they had it in great measure to themselves? Why, they scrambled chiefly for the British money, which their favourite Governor dealt forth among them with a wasteful lavishness, which, however it might be applauded in the colony by those who partook largely of the spoil, cannot fail to be regarded with very different feelings by the real lover of his country, especially when he recollects that every farthing of that expenditure was wrung from the over-taxed, over-tithed, and overwrought population of Great Britain and Ireland. This expenditure, moreover, the emancipists, or rather a few individuals of their number, divided among themselves, and employed in building houses and cultivating land, or rather in purchasing for a mere trifle the houses that had been built and the land that had been cultivated by others of their own number who were not so fortunate as themselves : and this profitable process they would doubtless have continued to the present day, had not a host of free emigrants arrived from the mother country, and developed the vast resources of the colony by their enterprise of every kind ; and told His Majesty's Ministers, through the unexpected and unprecedented results of that enterprise, that, although as a community we should never cease to *wish for more men*, we should soon cease to *wish for more money from England*.



The imports of New South Wales consist chiefly of goods of British manufacture,—rum, gin, brandy, and wine, from the mother country; tobacco from the United States and South America; wine from the Cape of Good Hope; sugar from the Mauritius; tea and other China goods from Canton; rice and other India produce from Batavia or Calcutta; and occasionally wheat and potatoes from Van Dieman's Land. The exports consist chiefly of wool, sperm and black-whale oil, New Zealand flax, seal-skins, hides, horns, trenails, and occasionally timber, to London; butter, cheese, beef, pork, maize, oranges, cedar-wood, coals, cattle and horses to Van Dieman's Land; and provisions of all kinds to the fisheries.

For the information of the mercantile reader both in England and in America, and to enable the general reader to form some idea of the unprecedentedly rapid rate at which the colony of New South Wales has been advancing in commercial importance and in general prosperity during the last few years, I have inserted in the Appendix (No. 11.) returns of the imports and exports of the colony for the eight years preceding the first of January, 1836, together with the amount of the tonnage and the number of vessels and sailors employed in the colonial trade.

From these returns it appears that the exports of the colony of New South Wales for the year 1835 were seven times greater than those of the year 1828; and from a return of the progressive increase of the colonial revenue\* for the ten years preceding the first of

\* See Appendix, No. 12.

January, 1836, it appears, that during that comparatively brief period, the colonial revenue had quadrupled itself. It would probably be difficult to find a parallel to such a state of things in the history of the world.

The principal and the grand staple article of Australian produce is fine wool; and as it appears from the preceding returns that the quantity of that valuable article of colonial produce exported from New South Wales during the year 1835 was more than double the amount exported during the year 1832—the comparative quantities exported during these years being as follows, viz. :

In 1832 . . . . 1,515,156 lbs.

In 1835 . . . . 3,776,191 —

—while the capabilities of the colony for the increased production of wool are literally inexhaustible; the origin and history of a branch of colonial trade, which has thus raised the colony already to the highest pitch of prosperity, and will ere long raise it to a pitch of commercial and political importance never anticipated by the most sanguine of its founders, cannot fail to be interesting in the highest degree to the colonial reader.

In the year 1792 or 1793, a few English sheep, which had been accidentally carried out from Ireland, were landed in New South Wales; and John Macarthur, Esq., who was then resident in the colony as captain and paymaster of the New South Wales Corps, observing the effect produced by their accidental crossing

with the sheep of the hair-bearing breeds from the Cape and Bengal, of which there was then a considerable number in the colony, his attention was strongly directed to the subject of the improvement of coarse-wooled sheep, and the growth of wool in New South Wales. The effect of the crossing was a decided improvement of the animals—the hairy coat of the progeny of the Cape and Bengal breeds being gradually converted into wool—while it appeared that the influence of the climate on the fleece of sheep generally was decidedly favourable. Shortly after this interesting fact had been ascertained, Captain Waterhouse, a naval officer who was then in the colony, having been ordered to proceed to the Cape in command of a vessel in His Majesty's service, Mr. Macarthur requested him particularly to endeavour to procure a few sheep of improved breed in that colony, and to bring them to New South Wales ; offering to share with him in the cost and in the general result of the speculation. Captain Waterhouse never returned to New South Wales ; but the commission with which he had been charged by Mr. Macarthur was duly executed by Captain Kent, who, on his return to the colony in charge of the vessel in the year 1796, brought along with him a few sheep of the pure Merino breed, which he had purchased at the Cape, at the sale of the property and effects of Colonel Gordon, an officer of Scotch extraction in the Dutch service, then recently deceased. On their arrival in the colony, these sheep were equally divided between Mr. Macarthur, Captain Kent, Captain Cox (afterwards paymaster of the New South Wales Corps), and the Rev. Mr. Marsden ; Mr. Macarthur obtaining

five ewes and one ram. It appears, however, that Mr. Macarthur alone paid the requisite attention to these valuable animals, which it seems were made little account of and neglected by the other gentlemen; and his perseverance in the matter not unfrequently exposed him to no small degree of ridicule on the part of his contemporaries. By his persevering attention Mr. Macarthur at length formed a considerable flock, which was afterwards greatly increased about the year 1803, by his purchase of the whole of the sheep and other stock of Colonel (now General) Foveaux.

About this period, Colonel Patterson, of the New South Wales Corps, having challenged Mr. Macarthur to fight a duel, from some circumstance which I have not been able to ascertain, a meeting between the parties took place; and Colonel Patterson being wounded by his antagonist, Governor King placed Mr. Macarthur under arrest, and published severe animadversions on his conduct in a general order. Conceiving himself injured, Mr. Macarthur solicited a court-martial: this the Governor peremptorily refused, and actually sent Mr. Macarthur home as a prisoner to England. This circumstance, which Mr. Macarthur naturally considered as a great hardship at the time, proved eventually very fortunate for that gentleman; for having taken home with him samples of his wool, they were accidentally shown to the principal manufacturers of that article in England; who, in consequence of a particular occurrence in connexion with the woollen manufacture at that period, were disposed to regard them with peculiar interest.



About the year 1804, the workmen employed in the great woollen manufactories in England had discovered an obsolete statute of Queen Elizabeth, prohibiting woollen manufacturers from employing any person in any branch of that occupation who had not served a regular apprenticeship: proceedings were accordingly commenced against the manufacturers, on the part of the workmen, by memorializing and petitioning the Government to have the statute of Elizabeth enforced. As this would have subjected the manufacturers to great inconvenience and loss, a reply to the memorial of the workmen was made on the part of the committee of manufacturers, setting forth, that similar statutes had been enacted for the protection of the operatives in cotton manufactories, but had subsequently been repealed, in consequence of their being found opposed to the commercial interests of the country, and of unjust operation. To this it was replied, on the part of the workmen, that cotton being an article of *unlimited produce*, it was found necessary to remove the restrictions imposed under the statutes in question, to afford all possible encouragement to its manufacture; whereas wool being an article of very *limited produce*, the parallel could not hold. In this conjuncture, Mr. Macarthur's specimens of Australian wool being produced and referred to as a proof that that article could be raised of superior quality and to an unlimited extent within the territorial possessions of the empire, the case was decided in favour of the manufacturers, and strong recommendations were addressed on behalf of Mr. Macarthur and his important object to the Secretary of State.

The following extract from Mr. Macarthur's examination, by Colonel Johnston, on the trial of that unfortunate officer for the arrest of Governor Bligh, in the year 1811, will not be uninteresting to the reader, in connexion with this subject:—

“ How long have you been established in New South Wales?—I went to the colony in the year 1789, as an officer in the New South Wales Corps, twenty-one years since.

“ When did you first commence your agricultural pursuits in that colony?—About the year 1793. The colony had, previously to that period, been in the extremest distress for provisions; the rations issued by the Government were frequently so small, that the greatest want prevailed, and absolute famine was often apprehended. When Major Grose (now Gen. Grose) took the command of the colony as Lieutenant-Governor, he considered it expedient to encourage cultivation, by giving grants of land to the officers both civil and military. Among the persons so encouraged, was myself; and I devoted myself with great assiduity to the clearing and the cultivating of the land given to me, and to the raising of every kind of animal fitted for food.

“ What quantity of live stock do you suppose you have reared in the period you have spoken of?—To the best of my knowledge and belief, I have circulated among the settlers at least £20,000 worth of breeding animals, all raised by myself.

“ *A Member.* We cannot judge of the number of the cattle by such a statement, because the prices might be very high.

“ *The Witness.* I have sent an immense quantity to the market to be slaughtered, and I am sure I may fairly estimate from my present stock, that the colony will be supplied with at least 100,000 lbs. weight annually. It is perhaps proper that I should state to the Court, that the stock from which such large supplies have been obtained, originally consisted only of about six or seven cows, and about thirty ewes; and that from these I have raised 1000 or 1200 head of horned cattle, and at least 10,000 or 12,000 sheep. The last returns of my stock made the number of sheep 4600, the horned cattle near 300, with about 50 horses.

“ Are those in addition to the numbers you before stated?—No; they are the present stock.

“ What was the price of beef and mutton in the colony when you

commenced breeding cattle and sheep; and what was the price when you left the colony?—When I commenced, it fluctuated from 3s. to 2s. 6d. per pound:—before I left it, I supplied Government with a large quantity at 1s.; and since my departure they have been supplied with a still larger quantity at 9d.

“ At what period, and in what manner, did the Government of England encourage your agricultural views?—In the beginning of the year 1804, some of the most eminent manufacturers of woollen cloth in England saw by accident some specimens of the wool that I had raised in New South Wales; its quality was so fine that it induced them to find me out, and to make particular inquiries how and in what manner this wool had been raised. On my communicating to them all I knew upon the subject, they expressed a decided opinion that the colony of New Holland might, with proper encouragement, be enabled in time to supply the woollen manufacture of this country with the whole quantity of fine wool which was then, with great difficulty, obtained from Spain; and such was the importance which they attached to this, that they signified their determination to communicate their opinion to Government by memorial, which was soon afterwards done. In consequence of these memorials being sent in, I was directed to attend a Privy Council, before whom I was particularly examined as to the state of my flocks and their probable improvement. The Privy Council were so satisfied of the importance of the undertaking, that they recommended to the Secretary of State that it should be encouraged.

“ In what shape was the encouragement of Government conferred upon you?—Lord Camden, the then Secretary of State, was pleased to order me a grant of 5000 acres of land, in a particular situation which I had pointed out to His Lordship: at the same time he wrote to the Governor of the colony, directing that I was to be supplied with shepherds.

“ Who was the Governor?—King. And with every other suitable and proper encouragement to advance an object of such national importance.

“ Was this after your examination before the Privy Council?—It was after.

“ What was the result of your agricultural pursuits at the time Governor Bligh entered upon the government of New South Wales?—The flocks of sheep and the herds of cattle were in the most flourishing state, the fleeces improving quite as rapidly as I could calculate upon.

“ Did Governor Bligh promote the intentions of Government in your favour, and forward your agricultural views?—Never, in the smallest degree.”

Governor Bligh, like almost every other person in New South Wales at the time, was altogether sceptical as to the practicability of realizing the views of Mr. Macarthur in regard to the production of fine wool in the colonial territory, and doubtless conceived that that gentleman had obtained an undue advantage from the Government in obtaining so much more land and convict labour than were allowed to other free settlers: he appears also to have expressed himself repeatedly to this effect, in the rough and rude manner in which he was accustomed to express unfavourable opinions of any person or on any subject; but there is no evidence of his having thrown any positive obstruction in Mr. Macarthur's way in the accomplishment of his object.

The discouragements, however, of various kinds, and from almost every quarter, with which Mr. Macarthur had to struggle through a long series of years, in demonstrating the practicability of producing fine wool in New South Wales to an unlimited extent, were sufficient to have paralyzed the energies of a less energetic mind; and the obligations under which he has consequently laid the colony in all time coming, through his unremitting perseverance and unexampled success, are great beyond calculation. The peculiar adaptation of the climate of New South Wales to the constitution and habits of fine woolled sheep, and the capabilities of the colony for the production of that valuable article of export to any conceivable extent, would doubtless have been discovered sooner or later by some other inhabitant of the colony, even if they had not been ascertained and demonstrated by Mr. Macarthur; but this possibility



does not in the least detract from the singular merit of that gentleman as a real benefactor of his adopted country; for the very same remark is applicable in the very same manner to the noble invention of Faustus, and the splendid discoveries of Columbus.

During the ten years that had elapsed from the first muster after Governor Macquarie's arrival in the year 1810 to the annual muster in 1820, the sheep of the colony had increased from 25,888 to 99,428; Mr. Macarthur's flock being at the latter period 6800, of which 300 were pure Merinos. During the administrations of Sir Thomas Brisbane and General Darling, it became a matter of controversy in the colony, whether the Merino or the Saxon breed, of which a few sheep had been introduced into Van Dieman's Land, direct from Germany, in the early part of the year 1823, by the vessel in which I arrived for the first time in the Australian colonies, produced the finest wool and was most profitable for the sheep-farmer. The preference, however, is now generally given to the Saxon breed, which, it is well known to persons acquainted with sheep-farming, was itself originally of Merino extraction. Several cargoes of Saxon sheep have at different times been imported into the colony by different colonial proprietors, as well as on speculation; and sheep of that breed are now very widely diffused over the territory, the colonial flocks of inferior breed having from time to time been gradually improved by crossing with the Saxon. The wool undergoes the usual process of washing on the animal's back in a running stream before it is shorn: it is then dried, shorn, and sorted; after which

it is packed into bales, and forwarded on large drays drawn by oxen to Sydney, to be there shipped for London. The freight to London usually costs only from a penny to three half-pence per lb., the price in England varying from 1s. 6d. to 2s. 6d. per lb. Mr. Macarthur's wool for the year 1833 averaged 3s. 6d. per lb., the general average for that year being from 1s. 11d. to 2s. 9d.

The paramount importance of this branch of colonial produce will appear from the return of the quantity of wool exported from New South Wales for each successive year, from 1819 to 1835, inclusive; the quantity exported in the first of these years being only 71,299 lbs., while the exportation for 1835 amounted to 3,776,191 lbs., *and the amount of this principal article of colonial export having more than doubled itself during the three years that have elapsed since the publication of the first edition of this work.* Sheep in New South Wales generally double their number every four years—in many instances in less than half that period; and as there is an unlimited extent of pasture to the northward, as well as to the southward and westward, the quantity of wool that will be exported from the colony in a few years hence, will be great beyond belief in England. An intelligent merchant in Sydney has calculated that the export of this principal article of colonial produce will in all likelihood realize half a million sterling in the year 1840. The quantity of British produce of every description, which this large income from a single article of colonial produce will enable the colonists to purchase, and the stimulus it will necessarily afford to commercial industry and enterprise both at home and

abroad, are considerations of the highest importance to every British statesman, and will doubtless evince the propriety, if not the necessity, of permanently attaching the colonists to the mother country, by allowing them a share for the future in the management of their own pecuniary affairs. I am confident there is no colony in the empire, in which there is at this moment a stronger feeling of affection towards the mother country than there is in New South Wales, or one in which the continuance of that affection, and of all the important advantages which it will undoubtedly be the means of ensuring to the mother country as well as to the colony, can be secured at less expense. The colonists of Australia will doubtless at some future period establish a republican government for themselves, and elect a President of the Australian States ; for it is a singular fact in the history of nations, that Great Britain, with an essentially monarchical government, has for a long time past been laying the foundations of future republics in all parts of the globe ; and will doubtless be left at last, like the unfortunate hen that has hatched ducks' eggs, to behold her numerous brood successively taking the water.\* But while such a consummation, whenever it shall be realized, will be no real loss to the mother country, provided the habits of commercial intercourse between the colony and Great Britain are in the mean time formed and fostered by good government ; there is

\* Mr. Fox observed of the British Government thirty years ago, that it was a *disguised republic*. This perhaps explains the anomaly. Besides, the disguise is much less complete now than it was even in Mr. Fox's time.

nobody at present, of any pretensions to common sense in New South Wales, who ever dreams of its speedy realization, far less desires it.

In connexion with this subject, and in illustration of the rapid progress of the colony in its commercial relations, I may remark, that there is a prospect of establishing a considerable direct trade in the article of wool, as well as in other articles of colonial produce, between New South Wales and the United States of America. The Tybee, an American trader from Salem, New England, arrived in Port Jackson with a cargo of American produce, by way of experiment, in the year 1832. She sold it, I have reason to believe, to advantage in Sydney, and afterwards returned to America. The result of the commercial intercourse that has thus been established between the colony and that powerful republic, will be found in the Appendix, No. 13.

A very prominent, if not the most important branch, of the trade of New South Wales at the present moment, is the sperm and black-whale fishery, in which no fewer than forty-one square-rigged vessels of various tonnage are now employed out of the port of Sydney. These vessels are all furnished with provisions for their voyage of the produce of the colony; their whaling-gear is chiefly manufactured of New Zealand flax by the rope-spinners of Sydney; and the large sums of money distributed among their officers and crews, on their return to port after a successful voyage, are all expended in the colony. At Twofold Bay, near Bass's Straits, on the east coast of New Holland, and on the southern coasts of New Zealand, there are establish-



ments belonging to merchants in Sydney for the black-whale fishery ; the oil of that species of whale, or the common train-oil of commerce, being always *tried out* (to use the technical phrase) in boilers erected on shore. The black or right whale is of the species that is caught exclusively in the Greenland Seas. The sperm-whale fishery, however, is by far the most important of the two ; and the whaling ground, chiefly traversed by vessels from Sydney, extends all over the Western Pacific, from the Heads of Port Jackson to the sea of Japan. The length of the voyage, in these hunting expeditions, depends entirely on the success of the vessel ; and the latter depends, in great measure, on the experience and ability of the officers and crew. The colonial whale fishery has not been pursued, to any thing like its present extent, for a sufficient length of time to train up so large a number of persons as have hitherto been required in the colony for so peculiar and so hazardous an occupation ; but experience is gained by every successive voyage, and the chance of failure gradually diminished.

The sperm whale is of the order mammalia. It breathes by lungs, is viviparous, and suckles its young : it is therefore obliged to rise frequently to the surface of the water for fresh air, and, in the operation of breathing, a large quantity of water is admitted along with the air into the animal's gullet ; but the water, being unnecessary for the purposes of respiration, is again violently ejected, by a process peculiar to the whale tribe, at an aperture called the spout-hole in the animal's forehead, forming a *jet-d'eau* or water-spout,

somewhat similar in its outline to that of a tall gooseberry bush, and inclining a little to the left. This operation is technically called *spouting* or *blowing*, and the sound of it at a small distance somewhat resembles the hollow abrupt bellowing of an angry bull. The sperm whale spouts regularly once a minute, and, when undisturbed, about sixty or seventy times in succession, remaining, of course, about an hour at the surface of the water. He then slowly raises his immense head and the upper part of his huge body above water, to place himself in a proper attitude for diving perpendicularly, and doubtless to acquire the impetus necessary for descending to the requisite depth; he then elevates in like manner his tremendous tail, the flukes of which are each about ten feet long, and immediately disappears. A common shoal whale, or one of the ordinary size, producing about five tons, or forty barrels of oil, remains under water about twenty-five minutes, and then rises and recommences blowing almost at the very spot where he had previously disappeared, if he has not been disturbed in the mean time. A *Bull-whale*, however, which produces about ninety barrels, or upwards of eleven tons of oil, remains under water from an hour to seventy minutes.

The sperm whale is gregarious in its habits, being generally found in large herds or shoals. I once saw as many, I think, as five hundred in one drove at the mouth of the Indian Ocean: they seemed like a large herd of cattle, and were moving leisurely along towards the western coast of New Holland. The bull-whale, however, is sometimes found traversing the ocean wilds

in solitary majesty ; being driven perhaps from the haunts of his tribe by the superior prowess of some more powerful antagonist, who thenceforth doubtless remains undisputed master of the seraglio. The affection of the female, or cow-whale, for her young is very strong—a circumstance observed even by the inspired penman : \* and in coming up with a shoal, the whalers uniformly endeavour to *fasten* to a calf or young whale, as in that case they are sure to get the mother at all events, if not several others of the shoal ; for the mother especially, and sometimes all the adults, remain close to the spot, swimming about in a state of evident trepidation till the *dear little innocent* either obtains its liberty or dies.

On the whaling ground there are always two or three men, including the officer of the watch, at the mast-head, looking out for whales from the dawn of day till sunset. When a whale is seen, the man who descries it, shouts, or rather chants, “ *There she spouts,*” and in a minute after, “ *There again.*” The officer below then asks “ *Where?*” and the man aloft replies, as it may be, “ *On the weather-bow ; on the larboard quarter ; on the lee-beam,*” or “ *right aft.*” If the whale is seen at a considerable distance to leeward, the vessel immediately makes sail in that direction, to lessen the labour of rowing and to cover the boats ; if it is seen to windward, the boats are lowered immediately. On coming up with the whale, the headsman launches a harpoon at the most vulnerable part of the huge animal’s body,

\* Lamentations iv, 3.

in which of course it remains fast. The harpoon has always a long line attached to it, the end of which is fixed at the stern of the whale-boat. The whale no sooner feels himself wounded, than he darts off with inconceivable swiftness, dragging the boat along with him; but so prodigiously is the resistance of the water increased by the velocity of the motion, that although the line by which it is dragged along passes over the bow, all the fore part of the boat is elevated completely above water, and the stern part of it actually sinks beneath the level of the surrounding element.\* The whale at length stops for a second or two, and the boatmen instantly seize the opportunity of pulling up close to him again. A second harpoon is then launched at him, and he is attacked at the same time with a lance; the headsman sometimes setting his shoulder to the lance to force it home. This process, which it is evident must excite an intense interest in all concerned, independently of the consideration of emolument, is repeated till the animal is at length mortally wounded and completely exhausted. When this is the

\* The whale sometimes dives right down when he feels himself wounded. An intelligent shipmaster in the colonial trade, who had spent the earlier part of his life in the Greenland Whale Fishery, has told me that he was once *fast* to a large whale, on the coast of Greenland, which descended perpendicularly as soon as he had received a single stroke of the harpoon, and carried down six lines of a hundred and twenty fathoms each, which were successively attached to each other. When the sixth line was nearly all out, the strain upon it suddenly ceased; and on being pulled up, the whale rose to the surface quite dead, with both his jaw-bones broken. The animal must have descended to a depth of nearly 4320 feet, or upwards of three quarters of a mile, and struck a rock or other hard substance at the bottom.



case, he slowly rears the upper part of his immense body above water, trembling convulsively all over, and forthwith throws himself upon his side, and dies. It sometimes happens, however, when a boat approaches too close to the whale, that the animal suddenly strikes it with his tail, and either upsets it or dashes it to pieces. When no such accident happens, the carcase is towed alongside the vessel, and the blubber is then cut off and tried, or boiled into oil, in large iron pots erected for the purpose on the ship's deck, the refuse serving as fuel to boil the rest.

Very few of the colonial sperm whalers carry a surgeon; and it would doubtless prove advantageous to all parties engaged in this branch of trade, as well as serviceable to the cause of humanity, for the local legislature to pass an act obliging them to do so in every instance: for accidents happen more frequently on board whalers than in other vessels; and in voyages of so long a duration as whaling voyages necessarily are, diseases, especially those of the scorbutic family, not unfrequently occur; in which, although the proper medicines may be duly administered and the proper treatment pursued, the mere absence of a surgeon will often render a case of no real danger in itself absolutely fatal, from the mental despondency which that class of diseases uniformly induces, and the feeling of absolute helplessness and hopelessness which the want of medical aid naturally occasions. Besides, the presence of a young man of good education, in the capacity of a surgeon on board each of the colonial whalers, would in all likelihood tend greatly to hu-

manize the officers and crew, many of whom are somewhat rough in their manners.

The wages, or rather emoluments, of a mariner employed in whaling depend entirely on the success of the voyage. The vessel is fitted out and provisioned by the owner, and each person on board receives as his wages a certain proportion of the value of the whole cargo of oil with which the vessel returns to port. This proportion is technically called a *lay*, the captain's lay being a twelfth, the first-officer's a twenty-fifth, and the common seaman's a one hundred and twentieth part of the whole cargo. In the colonial sperm-whale fishery, the captain has the privilege of sending his oil home to the best market in London ; the rest of the ship's company stipulating to sell their proportion to the owner, who runs all the subsequent risk, and bears all the subsequent expense, at £30 a ton. It generally sells in London at from £60 to £75.

It may seem preposterous to hazard such an assertion, but it is nevertheless the fact, that the progress of the sperm-whale fishery of New South Wales is intimately connected with the moral welfare and advancement of a most interesting portion of the great family of man. The London sperm-whalers are generally large vessels ; they are seldom less than four months in reaching the whaling ground ; and are frequently from two to three, nay, sometimes even four years, on their voyage. During that period the sailors become in many instances completely brutalized ; and when they land for refreshments on the South Sea Islands, their conduct is often infamous in the extreme : for, independently of the unhallowed operation of their own vicious propensities,

they are too far from home in these islands to be influenced by any fear of the laws, or by any regard for public opinion. The colonial whalers, on the contrary, are generally of smaller size ; and, arriving on the whaling ground immediately after leaving their port, they are filled in a much shorter time, and the voyage is consequently of a much shorter duration ; the average length of a whaling voyage from Sydney being from ten to fifteen months. The officers and crews of the colonial whalers have thus a much stronger inducement to marry and rear families of their own, as not a few of them have already done, than those of the London whalers ; while, on the other hand, the communication between the colony and the South Sea Islands is so frequent and direct, that any flagrant act of misconduct in these islands would very speedily be reported in the colony, and in all likelihood subject the perpetrator to the penalties of the law. It will doubtless be gratifying to the reader to be informed that several of the Sydney whalers are Temperance ships.

The idea of establishing a sperm-whale fishery, or rather a rendezvous for vessels employed in that trade, at Sydney, appears to have suggested itself so early as the year 1791, to a Scotchman of the name of Melville, the master of a whaler belonging to Messrs. Enderby and Sons, of London, who had carried out a cargo of convicts to the colony, on his way to the whaling ground on the north-west coast of America.\*

The colonial sperm-whale fishery, however, is, comparatively, but of very recent origin. I do not think

\* See Appendix, No. 14.

there were more than two vessels in the trade, out of Sydney, when I arrived in the colony for the first time in the year 1823. In the beginning of the year 1826, there were five or six; but in August, 1830, there were twenty-six. They have been gradually increasing ever since, the number of whalers belonging to the port of Sydney being now forty-one. For a return of the produce of the colonial fisheries for the nine years preceding the first of January, 1836—the value being according to the Sydney Custom House estimate, which is greatly under the truth—together with a list of the colonial whalers, see Appendix, No. 15.

The *phormium tenax*, or New Zealand flax—a substance which combines the qualities of the common flax and of the hemp of Europe—constitutes also an important article of colonial export, and affords employment in a considerable degree to colonial industry. The *Phormium tenax* is similar in appearance to the common English flag: it is dressed chiefly by the native women of New Zealand, who scrape off the outer part of the leaf with muscle-shells; after which operation the internal and fibrous parts of the plant, which resemble filaments of dressed flax, is exchanged for British goods and shipped to Sydney, where it is either manufactured into ropes and whale-lines, or exported to London. It has recently, I have been given to understand, been manufactured into fabric either in England or in France. If this is the case, and if it should be found to succeed, as I have no doubt it will, it will become a much more important article of colonial ex-



port than it has hitherto been. Its value in Sydney varies from £15 to £25 a ton. There are thousands of acres of the plant along the rivers and lakes of New Zealand; and when the reader is informed that the native population of that island, or rather group of islands, is estimated at half a million of souls, he will be able to form some idea of the future extent and importance of a species of commerce but recently embarked in by colonial merchants.

Indeed, the colonial trade with New Zealand, in which there is now a considerable number of European settlers, chiefly from New South Wales and Van Dieman's Land, besides several ship-building and trading establishments, is daily increasing in importance. During the six months preceding the 30th June, 1835, there were no fewer than forty-two arrivals at the Bay of Islands, the principal port on the east coast of New Zealand, and thirteen at Hokianga, the principal harbour on the west coast: among the former were twelve trading vessels from New South Wales. The imports from that island are chiefly plank, spars, flax, black oil, potatoes, and maize.\*

Besides the vessels belonging to Sydney that are employed in the colonial whale-fisheries, there are many other colonial vessels of various sizes employed in the coasting trade, and in the trade to New Zealand, Van Dieman's Land, and the Isle of France. The export of cattle to Van Dieman's Land has for several years past afforded regular employment to a considerable number

\* See Appendix, No. 16.

of large vessels. Two Scotch gentlemen of the name of Imlay, the one a surgeon in the navy and the other a surgeon in the army, have embarked largely in this trade, and have had a large establishment for the purpose at Twofold Bay, on the east coast to the southward of Port Jackson, for several years past. The cattle are purchased all over the colony and driven over land to Twofold Bay, where they are embarked for Hobart Town, Van Dieman's Land. Messrs. Imlay had contracted to land four thousand head of cattle in that island, where their value is about £10 a head, during the year 1836; but as Twofold Bay is beyond the present limits of the colony, this branch of the colonial export trade is not included in the colonial returns.

It is extremely gratifying to observe the salutary influence of the commerce of the colony, in extending a knowledge of the arts of civilization to many of the semi-barbarous inhabitants of the islands of the vast Pacific. In most of the Sydney whalers, New Zealanders, Tahitians, and natives of the Friendly Islands, are employed as sailors—an occupation, for which they seem peculiarly fitted, and of which, from their insular position, they are naturally fond. On my second voyage from New South Wales to England, in the year 1830, we happened to fall in with a schooner bound for Sydney, and laden with New Zealand produce, near the North Cape of the island. There were several New Zealanders on board the schooner, each of whom had a few mats and other articles of the manufacture of the island, which they intended to barter in Sydney for British goods. On their coming on board our vessel,

I offered to purchase one of the mats from a young New Zealander of very interesting appearance, who had all the lower part of his face tattooed ; and I accordingly offered him two half-crowns, which I was told was the price of the article in Sydney. The cautious native, however, would not conclude a bargain till he had ascertained from the master of the schooner, who could converse with him fluently in his own language, what quantity of the articles he wished to procure could be purchased for the two half-crowns in Sydney ; and when he was told the exact quantity, which he found was rather smaller than he had calculated on obtaining, he held up three of his fingers, signifying that I should have the mat for three half-crowns, which I accordingly gave him. That I might not, however, be less satisfied with my bargain than he was with his, he gave me, in addition to the mat, the tail-feathers of a small bird which the New Zealanders prize very highly as an ornament for the head.

In the vessel in which I made the voyage from New South Wales to London, in the year 1824, there were a native of Raiatea, one of the Society Islands, and a native of New Zealand, acting as common sailors. The former was named Parara (a duck) : he was a Christian, and had his little hymn-book in his own language, which he read carefully whenever he had an opportunity. The name of the New Zealander was Toki (an axe) : he was a heathen, and could only speak a few words of English. They were both excellent sailors : Toki, in particular, was considered as the best helmsman on board. Nothing, indeed, could divert his atten-

tion from the compass, or the sails, or the sea; and whenever I saw him at the helm, and especially in tempestuous weather at night, I could not help regarding it as a most interesting and a most hopeful circumstance in the history of man, that a British vessel of 400 tons, containing a valuable cargo, and many souls of Europeans, should be steered across the boundless Pacific, in the midst of storm and darkness, by a poor New Zealander, whose forefathers had from time immemorial been anthropophagi, or eaters of men.

I saw Parara on board the vessel in the London Docks, about a fortnight after our arrival in London, in the month of January, 1825: he was very ill, and had a hollow consumptive cough, of which I was apprehensive he would have died, though I was gratified to learn afterwards that he had recovered, and returned to the colony in good health, and had at length reached his native island. When I asked him, however, where, and how Toki was, he replied, with evident emotion, not unmingled with apprehension, "*Poor Toki dead!*" The atmosphere in the South Sea Islands, and indeed in New South Wales also, is so remarkably dry, and even arid, (the common English hygrometer generally standing at zero,) that it is almost death for a native of these islands to breathe the humid atmosphere of England, especially in the winter season. Indeed, the climate of Great Britain is as fatal to the South Sea Islanders as that of the East or West Indies to the great majority of Europeans, whom either the call of duty or the hope of fortune allures to these regions of death.

There is one circumstance connected with the com-



merce of New South Wales, which well deserves the attention of His Majesty's Government, as well as of all members of Parliament who may have it in their power to promote the welfare, and to accelerate the advancement of the colony, either by according it liberal institutions, or by directing a portion of the unemployed capital and the redundant population of Britain to its shores. The circumstance I allude to is, that all the trade of the colony with the mother country, i. e. nine-tenths of its whole commerce, is carried on exclusively in British vessels navigated exclusively by British seamen; and that consequently every addition to the population and resources of the colony must afford correspondingly additional employment to British sailors and British ships. Nay, as the natives of New South Wales are generally disinclined to a seafaring life, the colonial whalers and coasting vessels are almost exclusively navigated by natives of the mother country: and although several vessels of considerable size have been built in the colony within the last few years, for the whale fisheries and the coasting trade, it is the general opinion that ship-building will not be carried on to any extent in the colony, and that British-built vessels will continue for a long time to come to be the most numerous class of vessels in the Australian seas.

The return, which the reader will find in the Appendix, No. 17, will afford him the means of judging of the present extent of the colonial marine. In accordance with the preceding remarks, he will find that the colonial-built vessels are but few in number in com-

parison with those belonging to the colony that have been built in England.

In short, there is no colony in the empire, of which the extension and advancement are more directly calculated to extend and to confirm the maritime empire of Britain, than that of New South Wales; and so far from the vast distance of that colony being likely to lead to an opposite conclusion, that very circumstance rather implies and evinces the necessity for the employment of a proportionably greater number of British sailors and British ships. In this important particular, the colony of New South Wales is unquestionably of incomparably more value to the mother country than any of the North American colonies—I mean in proportion to the respective population of each. The Canadian trader, for instance, is probably built on the river St. Lawrence, to the manifest injury and loss of the British ship-builder; the New South Wales trader is built exclusively in England. The voyage to and from Quebec occupies at the utmost only three or four months, and the importation of a cargo of Canadian produce into any of the ports of the mother country consequently affords employment only for that short period to the British ship and the British sailor; both being in all probability unemployed for a considerable part of the year: but the voyage to and from New South Wales occupies at least twelve months, and the importation of a cargo of Australian produce consequently affords constant employment for that long period for both vessel and crew.

In connexion with the trade of the colony, it will

doubtless be interesting to the mercantile reader to ascertain the extent and condition of its banking establishments. Of these there are four in the colony, besides the Savings' bank, and the Bathurst bank for the settlements beyond the Blue Mountains in the interior. The returns from these establishments, for which I am indebted to the diligence of a gentleman in Sydney, whose name I am not at liberty to mention, will afford all the information on the subject which can be desired.\*

The Estimate of the Expenditure of the Colony for the year 1837, ordered to be printed by the Legislative Council in June 1836, together with the ways and means to meet that Expenditure, as estimated by the Governor, will be found in the Appendix, No. 19.

\* See Appendix, No. 18.

## CHAPTER X.

VIEW OF THE PRESENT STATE OF AGRICULTURE  
AND OF THE AGRICULTURAL INTEREST IN NEW  
SOUTH WALES.

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The Lord thy God bringeth thee into a good land—a land of wheat, and barley, and vines, and fig-trees, and pomegranates; a land of olive and honey; a land, wherein thou shalt eat bread without scarceness; thou shalt not lack any thing in it; a land, whose stones are iron, and out of whose hills thou mayest dig brass.—*Deuteron. viii. 8, 9.*

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THE whole territory of New South Wales is divided, like that of Great Britain, into counties and parishes; the number of counties\* being twenty. These divisions however, are scarcely ever referred to in the common intercourse of colonial life. Except in Government deeds or legal documents, the grand natural divisions of the country are the only ones known or recognised by the colonists, who accordingly speak only of the districts of the Hawkesbury, of Hunter's River, of Bathurst, of Illawarra, of Argyle, and of Port Macquarie.

The district of the Hawkesbury comprises a consider-

\* Their names, with their contents in square miles and acres, will be found in the Appendix, No. 20.



able extent of champaign country along the eastern base of the Blue Mountains, on either side of the noble river from which it derives its name. This tract of country was for a long time the granary of the colony, and has uniformly been under cultivation; being subdivided for the most part into small farms of thirty to a hundred acres, the proprietors or tenants of which subsist almost exclusively by agriculture. The forest-land in this district, or the land beyond the reach of inundations, is devoted chiefly to grazing; the flooded land along the banks of the river being the most suitable for cultivation. I have already observed, that the Hawkesbury is formed of the confluence of various minor streams issuing chiefly from the gloomy and untraversed ravines of the Blue Mountains; and I have also observed, that that mountain-range, which runs parallel to the coast at about forty miles' distance inland, consists of vast masses of sandstone rock, covered in every direction with large trees. In the summer months, and especially in seasons of drought, extensive conflagrations occur occasionally on the mountain-ranges either from accident or from design, the aborigines frequently setting fire to the herbage to enable them the more easily to hunt down the native game; and in seasons of flood vast quantities of the pulverized residuum of burnt vegetable matter, mixed with the washings of the sandstone rocks of the mountains, are accordingly carried down to the river by its numerous tributary mountain-torrents, and afterwards spread over the champaign country in the form of alluvial deposit. It is from these successive deposits or top-dressings that the district of the Hawkesbury de-

rives its fertility ; for the system of agriculture that prevails along the banks of the river is as slovenly as can well be imagined, the surface being for the most part merely scratched, and nothing like a proper rotation of crops being ever dreamt of. Wheat, year after year for twenty years together, and sometimes wheat and maize in succession off the same ground during the same year, is the Sangrado system of husbandry that prevails on the Hawkesbury.

The district of Hunter's River to the northward of Port Jackson comprises a much larger extent of flooded land, and the forest-land beyond the reach of inundation is in general of much superior quality and of much greater extent. The land in this district is divided for the most part into large farms of from 500 to 2000 acres and upwards. These farms, or estates, as they are somewhat ambitiously styled in the colony, are principally held by respectable free emigrants from the mother country, each of whom maintains and employs on his farm a number of convict-labourers in the capacity of farm-servants. These labourers are generally under the management of a hired overseer, who is always supposed to be well acquainted with the various processes of Australian agriculture. In this district, grain, chiefly wheat and maize, is cultivated to a great extent ; but in the upper parts of the district, at a distance from the navigable part of the river, the settlers depend chiefly on their flocks and herds, and cultivate only as much grain as is requisite for the supply of their respective establishments. Dairies are frequent throughout this extensive district ; and large quantities of butter and cheese of

superior quality are forwarded regularly by the steam-boats to Sydney, where it is either sold by commission-agents in wholesale, or retailed on behalf of the settler by some trusty person in the market.

The district of Bathurst consists partly of an undulating plain of about nineteen miles in length, and of a breadth varying from four to eight miles, beyond the Blue Mountains. It is naturally destitute of timber, and is traversed in the direction of its length by the river Macquarie; the banks of which are occasionally lined with swamp oaks, (an indigenous tree somewhat resembling the Scotch fir, but rather more ornamental,) which tend greatly to diversify, and of course to beautify the scene. The land in this district, with the exception of small portions in particular localities allotted to veteran soldiers and emancipated convicts, is parcelled out into large farms of 2000 acres each, the proprietors of which, being almost uniformly highly respectable free emigrants, have each numerous convict-servants and extensive flocks and herds. The extent of the land-carriage to Sydney precludes the Bathurst settlers from cultivating more land than is absolutely necessary for the subsistence of their respective establishments; but the dairy produce of the district, consisting chiefly of cheese of superior quality, is regularly forwarded to the dealers in Sydney. Large herds of black cattle are also fatted for slaughter on the native pasture of the open forest-country around the plain, and numerous waggon-loads of fine wool are annually forwarded to Sydney in the proper season to be shipped for London.

The district of Argyle extends to a great distance to

the south-westward. Towards Sydney it consists of occasional patches of land of the first quality, surrounded by extensive tracts of the most barren country imaginable. At a greater distance, however, the barren country gradually disappears, and is succeeded by a series of extensive plains, covered with the richest pasture, and picturesque grassy hills of moderate elevation. The land in this district is occupied in much the same way as in the settlement of Bathurst; and the settlers are of a similar class, and in similar circumstances, with those beyond the Blue Mountains.

The district of Illawarra is situated on the sea-coast to the southward of Port Jackson, and consists of a narrow stripe of arable land of the first quality, situated between the ocean and the eastern base of a range of mountains running parallel to the coast, and commencing at about forty-five miles from the Heads. The average breadth of this belt of land is from four to six miles, and its length about sixty. There are several extensive tracts in the district of Illawarra in the hands of non-resident proprietors—a circumstance which is always to be regretted wherever it occurs in the colony—but its resident inhabitants consist chiefly of small settlers, who cultivate grain, potatoes, pumpkins, &c. for the Sydney market, their produce being conveyed to the capital by water in small coasting-vessels. The cedar-tree, both white and red, abounds on the mountains of this district and in the deep gulleys that traverse them in every direction; and the cutting and conveying of the timber to Sydney affords employment to a considerable population, somewhat similar, both in



habits and character, to the lumberers of Canada. The cedar of New South Wales is used all over the colony for all sorts of cabinet and joinery work : it is somewhat similar in appearance to Honduras mahogany, and the choicer specimens take a fine polish. Churches and other buildings of a similar internal arrangement in the colony have consequently a much more imposing appearance in their interior than buildings of a similar description in England, being literally *houses of cedar*. The cedar of New South Wales is remarkably light ; its specific gravity not being greater, I should imagine, than that of the white pine timber of North America. It is cut into lengths of about twelve feet for the convenience of rolling it out of the woods, and of stowing it in the holds of the small coasting-vessels that carry it to Sydney. Its price depends on the number of buildings going on in the colony at any particular time ; but it is generally sold at two pence to three pence per superficial foot of one inch in thickness.

The district of Port Macquarie, formerly a penal but now a free settlement, situated on the east coast about 200 miles to the northward of Port Jackson, has for some time past been attracting considerable attention on the part of free emigrants recently arrived in the colony. It is traversed by the River Hastings and its tributaries the Wilson and Maria Rivers, that flow into it from the northward, on the banks of all of which there is a much larger extent of valuable alluvial land, suited for all sorts of cultivation, and especially for the cultivation of tobacco, than is to be found in the district of Hunter's River. About ten or twelve miles to the

northward of the head of the navigation of the Maria river, which pursues a southerly course to the Hastings, another large river, the M'Leay, is found pursuing a north-easterly course through a rich alluvial country, and emptying itself into the Pacific at Trial Bay, in latitude  $30^{\circ}$  south. As Port Macquarie is a bar harbour, and at times rather dangerous: Captain Barney, of the Royal Engineers, the present able and active Director of Public Works in New South Wales, has recently been directed to make a survey of Trial Bay, to ascertain whether it would not be preferable to form the principal settlement for the northern division of the territory in that locality rather than at Port Macquarie. The forest-land at some distance from the banks of all these rivers is well adapted for the rearing of sheep and cattle; and still farther to the northward and westward, there is an extensive and elevated tract of pastoral country called the Table Land, already occupied by colonial settlers with their numerous flocks and herds.

Besides the districts I have enumerated, there are various other tracts of land of great extent both within and beyond the present limits of the colony, already partially occupied by enterprising colonists for the purposes of grazing. There is the extensive tract of pastoral country, called Liverpool Plains, lying between the sources of the Hunter and the Hastings, and bounded by two parallel ranges of mountains, from which narrow belts of forest traverse the plains at irregular intervals, and divide them into a series of natural parallelograms. I have already mentioned that a large section of these plains, which are still beyond

the limits of the colony, has recently been appropriated for the Australian Agricultural Company; but the remaining portion, which of course is open to free settlers, is at present occupied by numerous squatters. About eighty miles to the westward of Bathurst, there is an equally extensive tract of pastoral country in the vicinity of the settlement of Wellington Valley on the banks of the Macquarie river, now in the occupation of a mission to the aborigines; and there are grazing stations at a similar distance to the south-westward on the banks of the river Lachlan. The coast line is occupied at irregular intervals to the southward of Illawarra, as far as Bateman Bay; and numerous colonists are ever and anon pushing their flocks and herds farther and farther into the great *terra incognita* to the southward and westward, either along the banks of the Morumbidgee, or across Maneira plains, to the eastward of the Snowy Mountains, as far as Twofold Bay.

It appears to me, that the natural and proper order of things, in regard to the occupation and employment of land, and the distribution of rural labour in New South Wales, is, that the business of agriculture, or the supplying of the colonial market with grain, potatoes, pork, poultry, vegetables, fruit, &c. should be in the hands of small farmers, or industrious families and individuals of the humbler classes of society, cultivating the land with their own hands either as tenants or small proprietors; and that the more extensive proprietors should confine their attention to their flocks and herds, supplying the colony with beef and dairy produce, and

raising wool for exportation to England. Several of the most extensive and intelligent landholders in the colony have accordingly told me, that if they could get reputable and industrious persons to occupy a portion of their lands as tenants, and to pay them a moderate rental in produce, they would give up cultivation entirely. Indeed it is a general complaint among the landholders of the colony, that agriculture, or the cultivation of land, does not pay; or, in other words, that it is not profitable for a colonial landholder, who perhaps has received two thousand acres of land as a free grant from the Crown, to keep from twenty to forty convict-labourers to cultivate a part of that land to raise grain for the colonial market. I have had sufficient opportunity, however, to know that it *does* pay a poor man, who has perhaps a wife and three or four children besides himself to maintain by his own industry, to occupy ten or twenty acres of that very land on lease at a rental of perhaps twenty shillings an acre, and to cultivate it with his own hands, and to carry his produce to market in his own bullock-cart.

Such a state of things, however, is rather a subject of congratulation than of regret; for it shows, that if many thousand families and individuals of the labouring agricultural population of Great Britain and Ireland were by any means to be introduced into the colony, they could obtain a comfortable subsistence by the cultivation of land held on lease at a moderate rental; while it shows, on the other hand, that it would be more profitable for the landholders to let their arable land to such tenants than to cultivate it themselves by



convict-labour. At the same time, as the land best fitted for cultivation in New South Wales is generally in its natural state the least adapted for grazing, the bringing of a much larger extent of the best land in the colony into cultivation would scarcely occasion any perceptible alteration in its present circumstances as a pastoral country. The thick brushes or jungles on the banks of the rivers would disappear, and their place would be occupied by neat cottages inhabited by an industrious and contented peasantry; but the sheep and cattle of the colony would range over its vast plains and grassy hills as before. In the mean time, however, a salutary change of mighty importance to the moral welfare of the country would be gradually effected; for, as the larger proprietors would require fewer convict-servants, the prison population of the colony would be more widely dispersed over the territory, and the probability of their return to the paths of virtue proportionably increased.

But although the cultivation of land in New South Wales is generally unprofitable, when engaged in on a large scale by extensive landholders, the reader is not to suppose that it is uniformly so. A proprietor, who is able to manage a considerable number of convict-servants with ability—which however is a case of very unfrequent occurrence—will find the cultivation of land by no means unprofitable, even at a low state of the colonial market; but the investment of his capital in sheep and cattle will in all likelihood be attended with much less trouble, and afford him a much better return in the end.

A large proportion of the respectable settlers throughout the colony suffered extremely, I have already observed, from the sheep and cattle mania of 1826, and from the unprecedented depression of property that ensued: I am happy to state, however, that things have long since reached their proper level; and it is extremely improbable, indeed it is scarcely possible, that any such change in the value of property, as was then so unfortunately and so extensively experienced, will ever again occur in the country. The colonial settlers generally have not only completely recovered their lost ground, but many of them, from the increase of their flocks and herds, from the general rise that has taken place in the value of land and grazing stock throughout the colony during the last three years, and especially from the high price of wool in the English market, have already acquired a degree of wealth and independence which is but seldom realized in the most prosperous colonies in other parts of the world, and which few of the settlers themselves could ever have anticipated when they left their native land.

Cattle of good breeds might be purchased in New South Wales in the year 1833, at from twenty to thirty shillings a-head; sheep of improved breeds at fifteen shillings; and horses, either for draught or for the saddle, at from £10 to £30. The price of all these descriptions of stock is now, however, at least double these amounts—the rise having taken place chiefly during the years 1835 and 1836—and there is no probability of a diminution of their present value for years to come. A large tract of land, however, may still be

stocked with a comparatively moderate amount of capital ; and when the settler's own land begins to be overstocked, which will very soon be the case, if his sheep and cattle are well managed ; he has only to send a portion of his flocks and herds, under the charge of an overseer and a few shepherds, or stockmen, into the interior, where he will obtain a lease of as much pasture-land as he requires from government at a mere nominal rental. Cattle and horses require very little attendance ; a very few individuals being sufficient to manage a herd of cattle of from five hundred to two thousand head. When a large herd of this kind is sent into the interior, under the charge of an overseer and a few *prisoners*, or *government-men*, as the convict-servants are uniformly designated in the colony, supplies of flour, &c., are forwarded at regular intervals to the party from the proprietor's home-station, on drays drawn by oxen, or on the backs of these animals, if the intervening country is of a rugged and mountainous character ; and the proprietor himself visits the station occasionally on horseback. But the huts and stock-yards are no sooner erected, than the overseer, if an industrious and trust-worthy person, fences in a piece of ground, and raises as much wheat as is requisite for the supply of his party ; thereby rendering farther supplies of flour from the home-station unnecessary. Out-stations of this kind are each supplied with a portable steel-mill.

The vast number and the rapid increase of cattle in New South Wales, have, within the last few years, induced several of the more extensive cattle-proprietors in the

colony to attempt the salting of beef for exportation ; and there are already several establishments for that purpose both in Sydney and in the interior. Several of these attempts, it must be acknowledged, have been attended with failure : this, however, is attributable to obvious causes. The cattle are generally slaughtered at too early an age for such a purpose ; the salt manufactured in the colony is not always sufficiently purified of its septic principle ; while, in some cases, a want of the requisite knowledge, a disposition to knavery, or absolute carelessness, may have occasioned a failure. But colonial beef is now generally used on board the colonial sperm-whale ships on their long voyages : it has been pronounced of excellent quality by officers of His Majesty's ships on the India station ; and a tierce, which was sent home to England by way of experiment, in the vessel in which I made my second voyage from New South Wales to London in the year 1830, was opened in the West India Docks in presence of gentlemen who were quite competent to ascertain its quality, and pronounced equal to Irish. It is not improbable, therefore, that colonial beef will eventually be regularly exported to London in return for British manufactures ; especially as the landholders of the colony have repeatedly been able to sell it to the colonial government in a fresh state within the last few years at three farthings a pound. It is doubtless considerably dearer at present, but it still forms an article of regular export to Van Dieman's Land, notwithstanding the comparatively extensive exportation of live cattle to that island during the last three years by Messrs. Imlay of Twofold Bay.



Hides and horns are already articles of export from New South Wales to London, and the quantity exported is annually increasing.

Sheep-farming, however, constitutes the principal dependence of the Australian landholder ; and the peculiar adaptation of the soil and climate to the growth of wool on the one hand, and the unlimited demand for that important article of colonial produce on the other, not only in Great Britain, but in France and America, will doubtless render it expedient that he should make it the first object of his attention. A sheep-station in New South Wales is managed in pretty much the same manner as a cattle-station. If the country consists of open plains destitute of timber, as many as a thousand sheep are sometimes entrusted to a single shepherd ; if it is moderately wooded, as is much more frequently the case, there is a shepherd for every flock of three hundred and fifty. The sheep are folded every night in a pen, or fold, constructed of moveable hurdles ; and the shepherd, attended by his dogs, sleeps in a small moveable covered berth constructed on a frame somewhat like a hand-barrow outside the fold ; the sheep being sometimes attacked during the night by the native dog of the colony. The lambing season is in some instances at the commencement of winter, in others in the beginning of summer. The sheep-shearing uniformly takes place at the latter season ; each fleece, of animals of improved breed, averaging from two to two and a half pounds. The wool is packed in bales wrapped in canvas, and forwarded for exportation to Sydney on large drays generally drawn by oxen.

Some of the more extensive sheep-farmers send home their wool direct to their agents in London, where it is sold according to its quality at from one to three shillings (the freight to London being only three halfpence) a pound. It is generally, however, either bought or received for consignment by merchants in Sydney, some of whom employ wool-sorters of their own to assort and repack it for the London market. The number of sheep in New South Wales, on the first of January 1837, would probably be not less than two millions; and settlers, deriving incomes of from £400 or £500, to £4000 or £5000 a year, principally from this source, are now to be met with all over the colony. Indeed, I am confident, there is no other country on the face of the globe in which there is a larger number of individuals, in comparison with the whole amount of the population, enjoying incomes of upwards of £500 a year, than there is at this moment in New South Wales.

The sheep is subject to a variety of diseases, some of which are not unknown to the Australian flock-masters. In some seasons, and especially in swampy situations, the disease called *the rot* occasions extensive mortality; but the cutaneous disease called *the scab* is of much more frequent occurrence. As this disease generally arises from carelessness, it has been the subject of a colonial enactment called *the scab bill*, the provisions of which gave occasion at the time of its enactment to much discussion among the sheep-farmers of the colony. The scab is a highly contagious disease, and sheep in a clean and healthy state may be infected with it to a

great extent by merely being brought into contact with a diseased flock for a few hours: when a convict-shepherd, therefore, has a pique at his master, or even at his overseer, it is often in his power to subject the whole of his master's flocks to this obnoxious disease, by merely driving his own flock to a distance of a few miles from their usual pasture, when there is nobody present to take cognisance of the fact, and by thus bringing them into contact with a diseased flock. The chief source of the wealth and prosperity of the colony is thus in great measure at the mercy of the most worthless of men; but even men of this description are now so difficult to procure, in comparison with the rapidly increasing annual demand for shepherds all over the colony, that it is the opinion of the most intelligent proprietors of New South Wales, that if there should not be a large annual importation of free emigrant shepherds from the mother country into the colony, the owners of sheep throughout the territory will in future be under the necessity of reducing, or rather of preventing the increase of, their flocks. I trust, however, that such an importation will now be effected through the means already in operation for the encouragement and promotion of emigration to New South Wales. There are many reputable persons of the class of shepherds in the mother country who now find it difficult to obtain a livelihood at home, but who could easily make themselves both comfortable and independent by pursuing the very same occupation in New South Wales, while their moral influence in the colony would be salutary in the highest degree. The conveyance

of such persons to New South Wales, which I am happy to add can now be effected by means of the colonial land-revenue without expense to the emigrants themselves, would therefore be a mutual benefit to the mother country and to the colony; for, while it would tend greatly to increase the raw produce of the colony, it would relieve the mother country of a portion of her superabundant population, and obviate the necessity of importing wool into Great Britain from Germany and Spain.

The breeding of horses for exportation is not likely to be of much consequence to New South Wales: a considerable number have from time to time been exported to Van Dieman's Land, and a few to Swan River; but these colonies are now perhaps sufficiently stocked with that animal. A considerable number have been exported during the last three years, as cavalry horses for the Indian army; Captain Collins, an officer of the Royal Dragoons, from India, having made considerable purchases in the colony for that service: but the risk is evidently great, and the increased demand for horses within the colony having recently caused a very considerable increase of price, which the formation of new settlements to the southward is likely to maintain for several years to come, it is not likely that the experiment will be repeated. The colonial horse is of much more varied parentage than the colonial man; for there are no colonies in the empire so thoroughly British in that respect as New South Wales and Van Dieman's Land. The English racer, the draught-horse from the midland counties of England, and the farm-horse from the west of Scotland; horses from the Cape of Good



Hope, horses of the genuine Arab breed from Persia, and horses of Spanish origin from Valparaiso; Acheen ponies from Sumatra, and ponies of a still more diminutive size from the island of Timor, have all been naturalized, and have all thriven in the colony. I do not suppose, however, that horses will ever be so numerous in New South Wales as they are in South America, where even *beggars* may be met with *on horseback*, without realizing the English proverb on the subject.

The only other animals that are reared for profit in the colony, with the exception of Angora goats, of which a few were introduced several years ago, by way of experiment, by Mr. Riley, a respectable and enterprising colonist, are pigs and poultry, both of which luxuriate on the maize of the colony, and attain a size and plumpness and flavour unequalled in England.

Wheat, barley, and maize, or Indian corn, are cultivated to a greater or lesser extent in all parts of the territory; and within a reasonable distance from the capital, or from water-carriage, they are cultivated extensively for the Sydney market. The plain of Bathurst and the district of Argyle, being elevated at least two thousand feet above the level of the sea, the climate in these parts of the territory is rather too cold for the growth of maize, as it is also for the orange and for other similar fruits; but oats and the English gooseberry, which cannot be cultivated with advantage in the lower districts, thrive exceedingly well in these colder regions.

With the exception of the large open plains which

occasionally occur in the interior of the country, and which, like the plain of Bathurst, are naturally destitute of timber, the territory of New South Wales is in its natural state one vast interminable forest. In many parts of the colony, and especially in the interior, the land is but thinly timbered ; there being not more than three or four trees of moderate height and of rather interesting appearance to the acre. In such places, the country resembles the park scenery around a nobleman's seat in England, and you gallop along with a feeling of indescribable pleasure. In general, however, the forest-land is more thickly timbered—sufficiently so to form an agreeable shade in a hot Australian summer-day, without preventing the traveller from proceeding in any direction at a rapid trot or canter. On the banks of rivers, and especially on the alluvial land within the reach of their inundations, the forest becomes what the colonists call a *thick brush* or jungle. Immense trees of the genus *eucalyptus* tower upwards in every direction to a height of from one hundred and fifty to two hundred feet ; while the elegant cedar, and the rose-wood of inferior elevation, and innumerable wild vines or parasitical plants, fill up the interstices. In sterile regions, however, on rocky mountain-tracts, or on sandy plains, the forest degenerates into a miserable *scrub*, as the colonists term it ; the trees are stunted in their growth and of most forbidding aspect, the fruit they bear being literally pieces of hard wood similar in appearance to a pear, and their shapeless trunks being not unfrequently blackened from the action of fire. In such regions, the more social animals

of the country entirely disappear. The agile kangaroo is no longer seen bounding across the foot-path, nor the gaily plumaged parroquet heard chattering among the branches. If any thing with the breath of life is visible at all, it is either the timid gray lizard hiding itself in the crevices of the rocks, or the solitary black snake stretched at full length on the white sand, or the busy ant rearing his slender pyramid of yellowish clay,\* as if in mockery of the huger monuments of the Pharaohs ; and establishing his puny republic amid the loneliness of desolation. In such forbidding regions the mind unavoidably partakes of the gloominess of nature ; and the only idea that takes forcible hold of it is, that such must assuredly be the region, on which the ancient primeval curse, to which the earth was subjected for the sin of man, has especially fallen.

There is a much greater extent of forest, than of alluvial land, in a state of cultivation throughout the colony ; and, what is exceedingly anomalous, the best land is in many instances on the sides and summits of the hills. Heavily timbered land intended for cultivation is cleared in the following manner. The underwood, which occurs only on alluvial land, is all cut down in the first instance in the proper season, the bushes either falling to the ground or remaining attached by their upper branches to the standing timber. When the fallen underwood is sufficiently withered, all the standing trees that are required for building, fencing, &c. are cut down and rolled out

\* These pyramids are sometimes six feet high.

of the forest, after their branches have been lopped off, to the nearest cleared land, or to saw-pits formed in the vicinity, where they are cut up for whatever purposes they are required. This species of labour, I mean the sawing of timber, is generally performed by free sawyers who work for hire, at so much per hundred feet, and receive part of their earnings in rations from the proprietor of the farm. The remaining timber is then cut down (I allude exclusively to the practice on large farms) by a party of eight or ten convict-labourers, under the charge of a free overseer, who works along with them, and who receives a salary, in addition to his rations, from the owner of the land. The overseer, on well-regulated farms, is generally a ticket-of-leave man or emancipated convict, who has been an assigned servant or common labourer on the farm or in its immediate neighbourhood during his term of bondage, and receives a salary of from £15 to £40 per annum with board and lodging.

The trees are cut down at about three feet from the ground ; and, in clearing heavily timbered land, the usual practice of skilful fellers is to cut a number of smaller trees half through ; and then, selecting a large or master-tree, to form a deep indentation with an axe in the side of it nearest the small ones, and then to saw towards the indentation from the opposite side. When nearly sawn through, the large tree falls towards the side on which the indentation has been formed, and bears down before it perhaps twenty or thirty smaller trees. When all the trees on the piece of land to be cleared are felled in this way, they are sawn into



proper lengths, rolled together, and burnt. This operation generally takes place, in the case of alluvial land, immediately before the time for the planting of maize or Indian corn, viz. in the months of September and October.

The cost of clearing heavily timbered alluvial land is about £5 an acre ; but a single crop of maize generally covers that expense. Thinly timbered forest-land is of course cleared at a much smaller cost. Maize is rarely planted on land of the latter description, and wheat is seldom sown on alluvial land till after it has produced one or two crops of maize. Wheat is sown in March, April, and May ; sometimes, however, not till June : it is reaped in November, the first month of summer in the southern hemisphere ; but in the high lands of the colony, the seasons are somewhat later. In ordinary seasons, the return of wheat per acre varies, according to the nature of the soil, from fifteen to forty bushels : I have heard of as much as forty-five and even fifty bushels an acre being reaped in the district of Argyle, and my brother's crop at Hunter's River averaged one year thirty-five bushels per acre. In the year 1835, in which there was a general failure of the crop from drought over a considerable part of the territory, my brother reaped 3,500 bushels of wheat from 150 acres of land, or at the rate of  $23\frac{1}{2}$  bushels an acre. Forty acres of that land, being the bed of an old lagoon, yielded 1707 $\frac{1}{2}$  bushels, or  $42\frac{1}{2}$  bushels per acre : another field of 22 acres produced 567 bushels, or  $25\frac{3}{4}$  bushels per acre. I should think, however, that the average of the colony is not higher than twenty

bushels; but then the system of husbandry prevalent in many parts of the territory is wretched in the extreme.

In the districts of the Hawkesbury and Hunter's River, wheat is liable to be attacked by the weevil, and can therefore never form an article of export from the colony, except in the state of flour: but the wheat of Bathurst and Argyle is never attacked by that insect; and the grain produced in the latter of these districts is in every respect equal to that of Van Dieman's Land, from whence it is not unlikely that wheat will ere long form a considerable article of export to the mother country. The maize of New South Wales, however, has been acknowledged by gentlemen well acquainted with the cultivation of that species of grain in the United States, superior to any they had ever seen elsewhere: it forms the favourite food of horses, and is used for the fattening of pigs and poultry; but it seldom constitutes an article of food for any class of free persons in the colony. Extravagance, indeed, has ever been one of the besetting sins of the Australian colonies, and the lowest class of free people in New South Wales are content only with the finest of the wheat; insomuch that coarse bread can scarcely be procured in Sydney, except when previously ordered, or from those bakers who supply the troops and the other government establishments with bread of that quality by tender. I have seen various preparations of this grain, however, which I am sure would be relished as an article of food by thousands and tens of thousands of the labouring classes in the mother country. The meal into which it

is ground is sometimes made into a sort of *porridge* or pudding, called *hominy*, somewhat similar, both in taste and appearance, to the preparation of oatmeal, so general as an article of food among the lower classes in Scotland. With an equal quantity of wheaten flour, it also makes excellent household bread, the maize meal being in the first instance reduced to the state of *hominy*. Indeed, maize might form a profitable article of export to the mother country, especially as in favourable seasons it can be obtained at Hunter's River of the very best quality at from 1s. 3d. to 2s. 6d. a bushel—a price, which would enable the merchant to sell it at a rate that would render it a very cheap as well as wholesome article of food for the labouring classes in England. This valuable grain is much used as an article of food among the peasantry of New England, who prepare it in a great variety of ways. The most summary mode of preparing it, however, of which I have ever heard, is that in use among the natives of New Zealand, where it is now cultivated in considerable quantity. The New Zealander merely moistens the cob or head of corn in water, and eats off the grains singly at his leisure.

In planting maize or Indian corn, shallow holes are made in the cleared land with a hoe, at a distance of about three feet from each other, in rows about five feet asunder: into each of these holes four or five grains of maize are dropped, and then covered up; and if the season is moist, vegetation immediately commences, and proceeds with such amazing rapidity, that, in a very few weeks, the burnt stumps of the large trees, which

are usually left standing all over the field, are entirely covered with the green corn, which in due time attains the height of six or eight feet, and produces in rich alluvial land at the rate of from forty or fifty to eighty bushels an acre. From 164 acres of maize, on my brother's farm at Hunter's River, in the year 1836, the quantity of grain gathered was 8000 bushels, or  $48\frac{3}{4}$  bushels per acre. In the higher parts of the district, of course farther from the Pacific, the maize crop had in that year proved a failure. In the neighbourhood of growing trees, the maize has to be watched all night for two or three weeks after it is planted, by a watchman stationed for the purpose; otherwise the bandicoots and opossums would dig up the grain and eat it: and when the watchman neglects his duty, as is sometimes the case, the maize must be planted a second time. Each corn-stalk terminates at the top in what is called a *tassel*, which waves beautifully in the wind along the rows like a grenadier's feather, and bears on the lower parts of it two, three, or even four or five cobs or heads of corn, each of which is enclosed in a thick casement of leaves, and springs obliquely from the stalk. In the month of March, when the corn is sufficiently ripe, these cobs are pulled, collected in heaps in the field, and then carted to a shed or out-house. A second or late crop of maize, however, is frequently planted on the wheat-stubble-land, especially in alluvial soil, immediately after the wheat harvest. The produce of this crop is generally of inferior quality; but in particular seasons, as for instance when the early part of the summer has been very dry, it turns out better than the



early or *forward* crop. The stumps of the large trees that are left in the ground on the clearing of the land, are usually burnt out, when the settler is able to afford that expense, by free labourers, who work for hire, and who receive part of their wages in rations from the farm.

Barley is not much cultivated in New South Wales. Off 25 acres, on my brother's farm, in the year 1835, the quantity reaped was 600 bushels, or 24 bushels per acre. Five acres of lagoon land produced 40 bushels an acre.

A return, which will be found in the Appendix,\* exhibits the average price of wheat in New South Wales for the last nine years, as also the quantity of bread-corn, &c. imported during that period. I have already observed, that in the last of the years specified, 1835, there was a general failure of the crop in the colony; but the extent of the importation during that year is partly attributable to the superior profits generally derivable from pastoral, as compared with those derivable from agricultural pursuits, in New South Wales.

Fences are uniformly constructed in New South Wales, as in British America, of wooden posts and rails; the posts being about nine feet asunder, and the fence being either of three, four, or five rails, according to the purpose for which it is required. This species of labour is, for the most part, performed by free labourers, who work for hire at so much per rod. The hawthorn, which has been used successfully for hedges

\* See Appendix, No. 21.

on several estates in Van Dieman's Land, loses its bushy character in New South Wales, and degenerates into a slender delicate shrub devoid of prickles. The aloe, which is used for the purpose of fencing in the island of Sicily, has been recommended as a substitute, as also a species of acacia from India, of which I have seen several specimens in the colony; but so long as timber can be easily procured, the colonists are likely to prefer the four-rail fence to any substitute, although it must be acknowledged it does not look so well as a lively hawthorn hedge.

Potatoes are cultivated in all parts of the colony, but by no means extensively: they are little used as an article of food by the lower classes, and are only to be met with at the tables of the more respectable settlers, and of families residing in towns. The convict-labourers or farm-servants are in general allowed small gardens to grow potatoes and vegetables for themselves; but they scarcely ever avail themselves of the privilege, as their ration of flour, beef or pork, sugar and tea, is abundantly sufficient for their subsistence. The quality of the potato of the colony depends very much on the season: in general, it is inferior to those of Scotland and Ireland; but I have occasionally seen as good potatoes, of the growth of a kitchen garden in Sydney, as ever I have seen in the mother country. Considerable quantities of a superior quality are imported from Van Dieman's Land and New Zealand.

The mildness of the climate of New South Wales precludes the necessity for cultivating any thing in the shape of winter food for sheep or cattle; and the great

abundance and unbounded extent of the native pasture of the colony render the use of artificial food quite unnecessary, except for the numerous horses and other beasts of burden that are kept in towns. Hay, of the native grass, and sometimes of oats, is sold in Sydney market by the cart-load; William Howe, Esq. of Glenlee, the proprietor of an extensive and beautiful estate on the banks of the Cow-pasture River, about thirty-five miles from Sydney, being almost the only cultivator of English grasses to an extent worth mentioning in the colony. Hay of the produce of the Glenlee estate is forwarded to Sydney once a week on drays drawn by oxen, and sold in the market. The Glenlee estate is famous also as the first dairy-farm for the manufacture of butter in the colony; George Ranken, Esq. of Killoshiel, in the Bathurst district, a highly respectable settler from Ayrshire in Scotland, having introduced the manufacture of cheese into New South Wales. Large quantities of both of these articles of dairy produce, however, are now manufactured on the farms of many other respectable settlers throughout the colony; and they form a considerable article of colonial export, chiefly to Van Dieman's Land.

The soil and climate of New South Wales are universally considered peculiarly well adapted for the cultivation of the vine. The vine has been cultivated in various localities in New South Wales for many years past; but never to any extent, or with a view to the making of wine, till within the last three or four years. There are now, however, many acres of vineyard throughout the colony, the vineyards of several of the

more wealthy proprietors being for the most part under the management of scientific and practical vine-dressers from the south of Europe ; and wine and brandy in considerable quantity—as much in one instance as eighteen pipes of the former—have already been manufactured on several estates. It is scarcely possible as yet to predict, with any degree of certainty, of what quality the wines of New South Wales will eventually prove ; for the vine requires to be in bearing for five or six years before good wine can in any instance be produced from its fruit. The specimens of wine, however, that have actually been produced from the colonial grape, have induced a general idea on the part of the colonists, that the wine of New South Wales will be somewhat similar to the light wines of the Rhine and of France. At all events, the highest expectations are entertained on the subject ; and those of the landholders who have planted vineyards begin to talk already of exporting wine to India and England.

Cuttings of the choicest European and African vines have at different times been imported into the colony by public-spirited proprietors. About eleven years ago, Mr. Redfern, a respectable colonist, touched at the island of Madeira on returning from Europe to New South Wales, and carried out with him a number of cuttings of the celebrated vine of that island, together with one or two Portuguese families acquainted with its culture. The Messrs. Macarthur, of Camden, had a large collection of cuttings of the choicest French and German vines sent out to them for propagating in the colony several years ago ; and cuttings of upwards of a



hundred varieties were carried out to the colony for general distribution in the year 1832 by James Busby, Esq. now British Resident at New Zealand, from several of the first vineyards of France.

The success of this branch of cultivation is of incalculable importance to New South Wales ; not so much, indeed, in a commercial or agricultural, as in a moral respect. The raising of an article in the shape of colonial wine, fit for the home or India market, is doubtless of consequence to the colony in a mercantile point of view ; and the annual saving that would accrue from the manufacture of a wholesome and cheap beverage, that would gradually obviate the necessity for importing European and Cape wine, is of still greater moment. But the gradual diminution of the consumption of ardent spirits within the colony, which would in all likelihood be the eventual result, would, without doubt, be a blessing of far greater and of inestimable magnitude to the whole colonial population. It is a fact well ascertained, that the population of wine-growing countries are not addicted to the brutalizing vice of drunkenness, like the inhabitants of colder latitudes ; and there is reason to hope, therefore, that if the population of New South Wales could by any means be converted into a vine-growing population, they would in due time become a wine-drinking and comparatively temperate, instead of a rum-drinking and most outrageously intemperate, population.\* At all events, if the convict

\* No nation is drunken where wine is cheap ; and none sober, where the dearness of wine substitutes ardent spirits as the common beverage.  
—President Jefferson, *Memoirs and Correspondence*, iv. 320.

division of the population of the colony should in this respect be almost beyond hope, it will certainly be of no small moment to the community at large, to form the taste of their numerous and interesting offspring on a model in somewhat greater accordance with the principles of temperance and sobriety. I am happy, indeed, to be able to state, as the result of thirteen years' extensive observation in the colony, that drunkenness is by no means a vice to which the colonial youth of either sex are at all addicted. Reared in the very midst of scenes of drunkenness of the most revolting description and of daily occurrence, they are almost uniformly temperate; for if there are exceptions, as I do acknowledge there are a few;—the wonder, I had almost said the miracle, is, that they have not been tenfold more numerous. Some have attempted to account for this gratifying fact on the principle, that disgust at the scenes they have been accustomed to witness from their infancy has induced a general disinclination to indulgence of that particular description on the part of the youth of the colony. Such a principle may doubtless have operated in a few instances; but I confess I am altogether sceptical as to its general operation. The simple fact, I apprehend, is, that the natives of New South Wales are naturally and constitutionally indisposed to intemperance; and one of the best means, I should conceive, of perpetuating this disinclination, and of keeping them permanently out of the way of temptation, is to supply them with a cheap and comparatively innocuous beverage of native manufacture in the shape of colonial wine.

The formation of a wine-growing population, however, in a country whose inhabitants have not been previously accustomed to the culture of the vine, is a matter of no small difficulty ; and from what has actually taken place in this respect in the colony of the Cape of Good Hope, I am disposed to believe that the introduction of a number of families from one of the wine-growing districts in the south of Europe, and their settlement in some favourable locality in the colony, would tend more than any thing else to form such a population in New South Wales. The Cape colony, it is well known, was originally settled by the Dutch, some time about the commencement of the seventeenth century : as the Dutch, however, are as little acquainted in their own country with the culture of the vine as the inhabitants of Great Britain and Ireland, the earlier colonists at the Cape never thought of attempting its cultivation in their new settlement. Towards the close of the seventeenth century, however, a large proportion of the best part of the population of France being self-banished from their native country, in consequence of the tyrannical revocation of the Edict of Nantes, which had ensured toleration to the Protestants of that kingdom, several of the French Protestant families who had settled in Holland, were induced, at the recommendation of the States General, to emigrate to the Cape of Good Hope ; and lands were accordingly granted them in that colony, within a moderate distance of Cape Town, at a place still called from the circumstance *Fransche hoek*, or French corner. The French emigrants introduced the cultivation of the vine into South Africa ;

and from that circumstance the wine-trade of the Cape colony derives its origin.

Several of the French Protestant families, who thus emigrated for conscience-sake to South Africa, were families of distinction in their native land ; having voluntarily renounced their country, their property, and their rank, “ for the word of God, and the testimony of Jesus Christ.” In particular, a family of the name of Du Plessis, the representative of the celebrated Mornay Du Plessis, so famous in the history of the *War of the League*, was among the number of the French emigrants who settled at the Cape. At the commencement of the present century, the representative of that family, and the heir of a dukedom in France, was Mynheer Du Plessis, a respectable old Dutch farmer in South Africa. The late emperor of the French, hearing of the circumstance, and being engaged at the time in forming an order of nobility to grace his newly-erected imperial throne, caused it to be signified to General Janssens, who was then the Dutch Governor at the Cape, that if M. Du Plessis would return to France, he would restore him the title and estates of his family : but the good old colonist was devoid of worldly ambition : he would not leave the country which had afforded an asylum to his persecuted forefathers, and he therefore lived and died as a plain unassuming farmer in South Africa.

The cultivation of tobacco, for which the soil and climate are peculiarly adapted, has been engaged in, within the last few years, to a considerable extent in New South Wales : it had been cultivated by a few of the settlers on a small scale for many years before ;



but of late years various respectable proprietors have not only raised it in sufficient quantity to supply their own large establishments, but turned it to good account as an article of agricultural produce for the colonial market, in which it is protected by a duty on foreign tobacco of a shilling a pound. That market, however, is so limited in proportion to the number of cultivators, that an idea has for several years been entertained in the colony, of the practicability of exporting it in great quantity to the mother country in return for British manufactures ; and all that is requisite to realize this idea, and to enable the Australian to compete with the Virginian tobacco-planter, is a numerous, industrious, and virtuous colonial population.

The districts of Hunter's River and Illawarra are better adapted for the cultivation of tobacco than those of Bathurst and Argyle ; the latter being much more elevated, and consequently more exposed to nipping frosts than the former. The soil and climate of Hunter's River especially appear peculiarly adapted for this species of cultivation. Having had occasion to visit that settlement in the month of March, 1830, my father, who was then residing at my brother's farm, but who was unfortunately lost at sea on his way to Sydney in a small coasting-vessel in the month following, pointed out to me several plants of wild or indigenous tobacco, which he had observed growing in the rich alluvial land which formed part of the dry bed of a lagoon on the farm, and remarked that the circumstance seemed to indicate the peculiar adaptation of the plant to the soil and climate of New South Wales. He also

showed me at the same time several stalks of indigenous flax, exactly similar in appearance to the flax of Europe, of which he had collected a small quantity of the seed, with a view to ascertain whether its cultivation might be practicable or beneficial to the colony.

Persons who have resided for some time in those provinces of North America in which tobacco is extensively cultivated, have assured me, they never saw the tobacco-plant shoot forth leaves of such length and breadth in America as they attain in New South Wales. The tobacco of the colony is manufactured into what is called negro-head and colonial snuff: of its quality I am not qualified to judge by either of the two senses to which it addresses itself: it is generally thought inferior, however, to that of the Brazils; but this inferiority arises probably from unskilfulness in the mode of its manufacture—an evil, which the experience of every succeeding year will in all likelihood diminish.

The olive also appears to succeed uncommonly well in New South Wales; and a number of respectable settlers have accordingly procured cuttings and seeds within the last two or three years, with a view to its cultivation. This species of culture, however, is yet in its infancy in the colony; and nothing farther can, therefore, be said on the subject, than that the olive appears equally well adapted with the vine and the tobacco-plant to the soil and climate of New South Wales.

The hop-plant has been cultivated successfully on several farms in the colony, and the quality of the hops

is much superior to that of those imported from England. The profitable cultivation of any of these productions, however, as an article of export, will require a much more numerous population than the colony now contains ; and so long as the article of wool affords such profits as it has hitherto afforded the colonial settlers, it is not to be expected that they will devote their capital and their energies to the extensive production of other articles, of which the return from their cultivation must necessarily be for some time comparatively problematical.

If a numerous and industrious agricultural population were settled in New South Wales, there are many productions of the south of Europe, as well as of still warmer climates, of which the cultivation would doubtless afford an ample remuneration for agricultural labour and a comfortable subsistence for industrious families, but of which it would be folly to attempt the culture with the present limited population of the colony. The caper-plant, for instance, would succeed well in New South Wales. It is cultivated successfully in the south of France ; and President Jefferson, in a few cursory Notes on that country, written during a tour to the north of Italy, gives the following account of the method and of the profitableness of its cultivation:—"Capers are planted eight feet apart. A bush yields one year with another two pounds, worth twelve sous a pound ; every plant then yields 24 sous, equal to one shilling sterling. An acre, containing 676 plants, would yield £33. 16s. sterling. The fruit is gathered by women, who can gather about twelve pounds a day.

They begin to gather about the last of June, and continue till about the middle of October.”\*

The castor-oil tree grows luxuriantly in the colony, and will no doubt be eventually cultivated with a view to the manufacture of oil. This tree has a beautiful appearance when young, its leaves bearing some resemblance to those of the horse-chesnut tree. In rich alluvial land it becomes quite a weed.

Indigo and opium could also be cultivated to any extent in New South Wales; and as the climate is highly congenial to the constitution of the silk-worm and the growth of the mulberry-tree, raw silk could be produced to any conceivable extent. For such purposes, however, a much larger and more industrious population would be required in the colony than it can boast of at present.

All the European and several of the tropical fruits come to perfection in New South Wales: it has only been of late, however, that any attention has been paid to the quality of the fruit or the cultivation of the trees; the colonists having previously been for the most part too much occupied in procuring a supply of the necessities of life for their households. A great change for the better, however, has been effected in this particular within the last few years. Trees of the choicest sorts have been procured from all parts of the world, and sedulously and successfully cultivated all over the territory. The fruit of the colony consequently promises to

\* *Memoirs and Correspondence of President Jefferson*, vol. ii. p. 130.



be as superior in quality, in a few years hence, as it is at present various and abundant.

The Sydney market is supplied with fruit chiefly from orchards situated on the banks of the inlet called *the Parramatta River*. For several miles from Sydney, the soil along the course of the Parramatta River, which is now traversed daily by two steam-boats, is miserably poor, but the scenery highly picturesque and romantic; the channel ever and anon either widening or narrowing as you advance—sweeping around the base of lofty rocks or suddenly expanding into capacious basins, the shores of which are every where ornamented with the most beautiful shrubbery; for in New South Wales, the most interesting plants, shrubs, and trees are uniformly found adorning the poorest soils. About half-way up the river, the soil, especially on the right bank, improves very considerably; and there are various orchards and orangeries close to the water's edge, the proprietors of which make a comfortable livelihood for their families by selling their fruit in the Sydney market.

I happened to call at the cottage of Mr. Shepherd, an old colonist, who has reared a reputable family on a small farm in this vicinity, in the month of July, 1830: it was winter in the colony, but the oranges were just ripe, and the trees were loaded with fruit. I asked Mr. S. jun. what quantity of oranges he would have to dispose of during the season; and he replied, “Not less than twelve thousand dozen.” A respectable old settler, however, of the name of Mobbs, has a much

more extensive orchard a few miles from the river in a northerly direction ; and at Baulkham Hills—a settlement about five miles beyond Parramatta, at which a few families of free emigrants settled upwards of thirty years ago—there are two orange-orchards much superior to Mr. Shepherd's. Mr. Suttor, the proprietor of one of them, told me, a few weeks before I left the colony for England in the year 1830, that the produce of his orange-trees the preceding year was from twelve to twenty thousand dozen ; but that the orchard of Mr. M'Dougall, a Scotch settler on the opposite side of the road, had been much more productive. The produce of these orchards has been greatly increased during the last six years, but I have not ascertained its recent amount. The orange-trees are planted in long double rows with an avenue between ; and the view along the avenue, on each side of which the thick dark green foliage of the trees contrasts most beautifully with the bright yellow fruit with which the branches are loaded, can scarcely fail to remind the scholar of the gardens of the Hesperides.

The orange-tree takes about seven years to come to maturity : till within the last few years it was consequently far from abundant in the colony, whose inhabitants, especially in the earlier years of its existence, were for the most part peculiarly improvident ; and it is only around the residences of settlers of the class I have just referred to, that old trees are usually to be met with. The fig and the peach, however, being of much more rapid growth, abound every where ; the fruit of the latter being so abundant, as to constitute a considerable

part of the food of the colonial pig in the peach season. Peaches are sold in Sydney market by the basket or bushel, at from fifteen pence to two shillings and six-pence.

If a peach-stone is thrown into the ground in a favourable situation in New South Wales, a large quantity of fruit may be gathered from the tree that shortly afterwards shoots up from it, without any subsequent culture, at the expiration of the third or fourth year. A gentleman, to whom the colony is much indebted for the zeal which he long evinced in the path of Australian geographical discovery,—I mean Allan Cunningham, Esq.—was induced, from this circumstance, uniformly to carry along with him a small bag of peach-stones on his exploratory expeditions into the interior; and whenever he found a suitable piece of ground in the great wilderness, to dig it up and plant a few of them in it, in the hope that the future trees might one day afford a timely supply of food, either to the wandering native or to Europeans, who might accidentally lose their way in the pathless solitudes of the interior; for the reader is doubtless aware that the native forests of Australia afford nothing whatever in the shape of fruit for the sustenance of man. I was much struck with the circumstance, when it was first mentioned to me, many years ago, by Mr. Cunningham; and while I could not help commending from my very heart the pure and disinterested benevolence it evinced, I could not help inwardly regarding it as a lesson to myself for the future, and a reproof for the past. Alas! how many spots have we all passed unheeded in the wilderness of

life, in which we might easily have sown good seed if we had so chosen, and left it to the blessing of God, the dew of heaven, and the native energies of the soil! Such spots we shall never revisit; and the opportunity of doing good, which was thus afforded us, but was suffered to pass unimproved, will consequently never return.

Specimens of cotton, the produce of New South Wales, have been manufactured into yarn under the superintendence of a Scotch manufacturer in the city of Glasgow, and pronounced of superior quality. A considerable quantity of sugar was also manufactured on account of Government, at the settlement of Port Macquarie to the northward of Hunter's River, about eight years since; and coffee was cultivated successfully at Norfolk Island some time after the first settlement of that dependency. The northern settlements of Port Macquarie and Moreton Bay, the last of which is situated between the 27th and 28th parallels of south latitude, and is still a penal settlement, would doubtless be the best adapted for the cultivation of these articles of tropical produce; but it would probably be inexpedient to attempt such a species of cultivation in the present circumstances of the colony. The stream of colonization in New South Wales is evidently tending strongly to the southward, and the energies of the colonial population will therefore in all probability be directed for a considerable time to come to the producing of articles of a different description from those I have just mentioned. When the production of these articles ceases to be profitable, or, in other words, when



they cannot be exchanged advantageously for tropical produce raised elsewhere, as for instance at the Isle of France, it will be proper for the colonists to think of forming a West Indies on their own coast, and of cultivating sugar, coffee, and cotton at the northern settlements. The different regions of the globe may be compared to the different members of the human body, and the commercial intercourse of nations to the circulation of the blood, which is evidently designed to establish an intimate connexion between these different members, and thereby to maintain the tone and vigour of each. It would be as preposterous therefore for the colony of New South Wales, were its population even ten times greater than it is, to attempt to raise all the various articles of produce that might be cultivated along its extensive coast-line from Bass's Straits to the northern extremity of the land, and exchanging the wheat, beef, and potatoes of one settlement, for the sugar, coffee, and cotton of another, to preclude in so far the necessity for foreign supplies,—as it would be for the human arm to petition for a separate heart and lungs for itself. To pursue the metaphor, the heart and lungs are the mother country, and the extremities are the colonies: the healthiest condition of the system will therefore be attained, when the colonies devote their energies to the raising of such species of raw produce as are best suited to their respective climates, and transmit that produce to the grand laboratory of the mother country, to receive it again in the shape of capital and manufactured goods of every description; just as the extremities transmit their black venous blood to the grand laboratory of the

lungs, where it is subjected to a series of chemical processes of the most wonderful description, and from whence it is again propelled by the powerful action of the heart in a stream of life and of health to the most distant parts of the system.

The Australian colonies are at present supplied with sugar from the Isle of France: it is paid for chiefly in money, as the Mauritius receives but a very insignificant quantity of Australian produce in return. The diminution of the commercial intercourse with the Isle of France would, consequently, be a matter of small moment to these colonies, in comparison with the saving that would accrue from the raising of sugar within their own territory, if the cultivation of that article were to be engaged in extensively, as it doubtless might with advantage, by a free emigrant agricultural population, imported by means of the colonial land-revenue, and settled at Moreton Bay: for as the annual consumption of sugar by the colonial population may be estimated at least at double the quantity consumed by an equal number of the inhabitants of Great Britain, the supplying of the colonial market is an object of considerable importance, even although the article could never be raised in the colony at a rate sufficiently low to enable the Australian planter to compete with those of the Isle of France and the West Indies in the home market. Besides, whatever the colony might save from the cessation of the importation of sugar from the Mauritius, would only tend to increase the trade with the mother country, which is of incalculably greater moment to all parties; and enable the colonists

to purchase a correspondingly greater quantity of British manufactures.

The produce of an acre of land of the best quality, when planted with sugar-cane in the Isle of France, is 4000 lbs. French, or 4320 lbs. English; that of an acre of ordinary quality, being 3000 lbs. French, or 3240 lbs. English. The price of sugar of the first quality at the Mauritius is five dollars, or 20s. per 100 lbs. French; and that of inferior quality, from five to two. Whether the land at Moreton Bay would be equally productive is at best problematical; but there is reason to believe that the cost of its production would not be greater in the one colony than it is in the other, for all the other necessities of life are much cheaper in New South Wales than in the Isle of France.

As to the necessity for slave-labour for the profitable cultivation of sugar, the idea can no longer be entertained in any part of the British empire; and the question therefore now is, what sort of free labour will be the most profitable and the most easily procurable in any given locality. A singular revolution is at this moment taking place in this particular, in regard to the state and prospects of the colony of the Isle of France. From the great demand for labour in that colony, and the general apprehension that the negroes would not labour sufficiently on the full attainment of their freedom, several of the principal merchants and planters of the Mauritius had been induced to try the experiment of introducing free labour from India: and so fully had the speculation succeeded, that during the seven weeks that the master of a Scotch vessel from

New South Wales lay at Port Louis in the early part of the year 1836, no fewer than 1500 Hindoo labourers arrived in that port. It was confidently expected that the system would eventually completely change the aspect and character of the colony.

There is one other species of cultivation which might at least be attempted in the colony ; I mean that of the tea-plant. That the climate of New South Wales, and especially of the settlements to the northward, is entirely congenial to the constitution and habits of the tea-plant, cannot be doubted. A fruit-tree of Chinese origin, called *loquet*, has been long naturalized in the colony ; and its fruit, which is of a yellowish colour, and about the size of a plum, is sold in great quantities in the Sydney market. Various other specimens of the botany of the Celestial Empire have been cultivated successfully, both in the Botanic Garden and in the private nurseries of the colony ; and I have seen the tea-plant itself growing in the open air in New South Wales in apparent health and vigour.

Such a species of cultivation would doubtless require a numerous and a Chinese population ; and it may perhaps be supposed that such a population would not be easily attracted to New South Wales. The Chinese, however, are an emigrating nation ; and as they are easily induced, by the prospect of bettering their fortunes, to emigrate to Singapore, Batavia, and Calcutta, there is no reason to doubt that a similar prospect would induce them to emigrate to New South Wales. If a considerable number of families were to be settled together on a tract of land to be appropriated for the



purpose at one of the northern settlements, either as tenants at a rental in produce or as proprietors, and allowed to adopt their own manners and customs without interference on the part of the colonists, there is no reason to doubt but that the object might be successfully accomplished, and the culture of the tea-plant introduced into the colony with every prospect of success. The benefit likely to accrue to the colony, in an agricultural and commercial point of view, from the formation of such a settlement in its territory, would undoubtedly be great, while the moral influence which it would afford the means and the opportunity of exerting on the emigrants themselves might lead to the happiest results.

The Dutch have long been alive to the benefits likely to result to their nation from the settlement of numerous families of Chinese in their colonial territories. Chinese are very numerous in the city of Batavia ; and the police of that part of the city which is denominated *the Chinese quarter*, is entrusted to individuals of their own nation, under the superintendence of a chief, who is responsible to the European authorities, and whom they elect annually, with the approbation of the Dutch Government. They are uniformly industrious, frugal, and orderly ; and there is no reason to doubt, that a settlement, consisting of families and individuals of the same nation, would maintain an equally reputable character, and could be governed with equal facility in New South Wales.

It must be evident at all events, that the field of exertion for the agriculturist of New South Wales is suffi-

ciently extensive. With every variety of climate and every variety of soil, the colony requires only a numerous and industrious population to enable it to produce in abundance whatever is requisite for the sustenance and the comfort of man. Enterprise, of which there is at this moment no lack in the colony, will in due time discover a thousand new channels for the profitable outlay of capital and for the acquisition of wealth; and honest persevering industry will in the mean time be enabled to eat "pleasant bread," and to acquire that "competent portion of the good things of this life," which is most conducive to the progress of society and the real welfare of man.

## APPENDIX.

No. 1. Page 107.

*Governor Bligh's General Order of the 14th of February, 1807, forbidding the Distillation of Spirits.*

“ His Excellency the Governor, taking into his consideration the evils which will arise from the distillation of spirits of any description, does hereby confirm the General Order of the 28th of February, 1799, which is as follows :

“ The Governor, having received information from various quarters, that in direct disobedience of public orders, and in defiance of the consequence of detection, several persons in different parts of this colony have taken the liberty of erecting stills, and providing materials for the purpose of distilling spirituous liquors ; and as it is well known to the whole colony that this destructive practice has long been forbidden in this settlement, and under the immediate authority of every officer who has commanded in it ; it is scarcely necessary to say more on the subject than to call on the aid and exertion of the whole body of officers, whether civil, military, or naval, in suppressing it ; and to desire, that wherever they may understand it continues to be carried on or attempted, they may use every means in their power to detect the guilty person, and to seize or destroy the utensils they may have provided for a purpose so certainly calculated to ruin the present healthy state of the inhabitants of this territory. All constables, watchmen, and other persons, are hereby strictly enjoined, wherever they may have cause to suspect this forbidden trade is carried on, to make the same known to any magistrate or officer, in order that steps be regularly pursued for bringing any opposition to these orders to proof. If those persons who shall presume to carry on this noxious work after this information, do

happen to be free people, every indulgence they may have hitherto received from Government shall be immediately withdrawn, and they shall be ordered to quit the colony by the earliest opportunity:—if a convict, they will receive such treatment for their disobedience, as their conduct, in the opinion of a Court, may appear to merit.

“ By command of His Excellency,

“ EDMUND GRIFFIN, Secretary.”

“ Government House, Sydney,

“ February 14th, 1807.”

No. 2. Page 111.

*Warrant to apprehend Mr. Macarthur.*

“ New South Wales.

“ Whereas complaint hath been made before me upon oath, that John Macarthur, Esq., the owner of the schooner Parramatta, now lying in this port, hath illegally stopped the provisions of the master, mates, and crew of the said schooner; whereby the said master, mates, and crew have violated the colonial regulations, by coming unauthorized on shore; and whereas I did, by my official letter bearing date the 14th day of this instant December, require the said John Macarthur to appear before me on the fifteenth day of this instant December, at ten o'clock of the forenoon of the same day; and whereas the said John Macarthur hath not appeared at the time aforesaid, nor since:—these are therefore, in His Majesty's name, to command you to bring the said John Macarthur before me and other His Majesty's Justices, on Wednesday next, the 16th instant, December, at ten o'clock of the same day, to answer in the premises: and hereof fail not.

“ Given under my hand and seal, at Sydney, this 15th day of December, 1807.

(Signed)

“ RICHARD ATKINS, J. A. (L. S.)”

“ Mr. Francis Oakes,

“ Chief Constable, Parramatta.”

No. 3. Page 115.

“ PROTEST.

“ To the Members of the Criminal Court.

“ Gentlemen,

“ It will, I am convinced, excite your surprise, as I think it must of every impartial man, to hear that I am brought a prisoner to this bar,



utterly unacquainted, except from rumour, of the nature of the accusation against which I am to defend myself. Such, however, is the fact: for although I have made three written applications to the Judge Advocate for a copy of the indictment or information, I have not been able to obtain it.

“ In this unprecedented situation, and having been informed that the charge against me had been founded on certain events which originated in the illegal and arbitrary conduct of the Judge Advocate, as exemplified in the correspondence and warrants; I did conceive it prudent, and a piece of duty I owed to the community, to protest against Richard Atkins, Esq. being appointed to sit as a judge on a trial where he is so much interested, and in which his own security is so materially involved.

“ To prevent unnecessary delay, and other consequences which I apprehended, I did, in a letter to His Excellency Governor Bligh, protest against the Judge Advocate, and respectfully required that a disinterested person might be appointed to preside at my trial.

“ To this His Excellency was pleased to answer, ‘That the law must take its course, as he does not feel himself justified to use any interference with the executive power;’ by which I suppose it meant the judicial authority; and I humbly conceive His Excellency’s power must be the executive.

“ Defeated in this attempt to obtain what I know to be my lawful right, my only alternative is to resort to the Members of this Court; and I do so under an entire confidence, that what I can prove to be my right, you, as men of honour, will grant me.

“ To you then, gentlemen, I appeal; and solemnly protest against Richard Atkins, Esq., being allowed to take his seat as one of my judges on this trial.

“ To support this protest, my first objection is, because there is a suit pending between us, for the recovery of a sum of money that he unjustly withholds, and, as he is screened from the operation of the law, is to be submitted to His Majesty’s Ministers.

“ My second objection is, because I can prove he has for many years cherished a rancorous inveteracy against me, which has displayed itself in the propagation of malignant falsehoods, and every act of injustice that can be expected to proceed from a person armed with power, against a man, whose life and conduct is, I trust, a public satire on his own.

“ My third objection is, because I have long been the object of his vindictive malice, in consequence of my having been called as an evi-

dence to support an accusation made against him by John Harris, Esq., that he was a swindler.

“ My fourth objection is, because he has associated and combined with that well-known dismembered limb of the law, George Crosley, and others of as wicked minds, though perhaps not quite so notorious, to accomplish my destruction. In proof of this I have evidence to prove that Crosley has prepared the information to be produced on this trial, and has arranged the whole plan of evidence; he being considered eminently qualified to conduct that part of the business, from his extensive practice in that particular branch of legal knowledge. I have also proof in my hands, in the writing of that veteran practitioner Crosley, which will convince the most sceptical mind that other schemes have been agitated to deprive me of my property, liberty, honour, and life.

“ Here it is, gentlemen,—read it; and after, read the proceedings of a Bench of Magistrates; and you will see, that for presuming to complain of a most unlawful seizure of my property, which the Judge Advocate joined in reprobating, it has been determined to ruin me.

“ This precious document came into my hands as if by the interposition of Divine Providence: it was dropped from the pocket of Crosley, and brought to me. That you may consider it at your leisure, I annex a copy both of it and of the proceedings of the Bench of Magistrates.

“ My fifth objection is, because Richard Atkins, Esq., is my prosecutor on this trial, and is so deeply interested to procure my conviction, that, should he fail, nothing but the arm of power can save him from a criminal prosecution, at this very bar, for false imprisonment of me.

“ My sixth and last objection is, on his having already pronounced sentence of condemnation against me, as is presumptively proved, and can be clearly, by his declaring that the Bench of Magistrates had the power to punish me by fine and imprisonment; thereby clearly demonstrating an intention to deprive me of the benefit of my present trial.

“ It will not, I presume, be denied that the Judge Advocate, from the constitution of this Court, combines the two characters of judge and juror; and that it follows, as an indisputable consequence, that any objection which applies to either character, is strictly applicable to him.

“ All therefore that remains for me to do, is to lay before you the legal authorities on which I found my right of challenge.

“ *First Authority.*

“ ‘ The suspicion of prejudice may be reasonably inferred against a

juror from his having an interest in the cause, whereby he may be led to the condemnation of the prisoner.

“ ‘ The prisoner must assign his cause of challenge, of the relevancy of which the members are themselves the judges. The valid causes of challenge are, suspicion of malice, of prejudice, and infamous character.’ —(Tytler.)

“ *Second Authority.*

“ ‘ So jealous is the law of the perfect impartiality of jurors, that it is allowed to be a good cause of challenge that the juror has been heard to give his opinion beforehand, that the party is guilty.’ —(Tytler.)

“ *Third Authority.*

“ ‘ Two causes of challenge, impossible to be overruled, are the charges of corruption or bribery, verified by competent proof, and malice of hostile enmity expressed by word or deed against the prisoner. Infamous character is also a most relevant ground of challenge.’ —(Tytler.)

“ *Fourth Authority.*

“ ‘ It hath been allowed a good ground of challenge on the part of the prisoner, that the juror hath declared his opinion beforehand that the party is guilty.’ —(Burn’s Justice.)

“ *Fifth Authority.*

“ ‘ The Mayor of Hereford was laid by the heels for sitting in a cause when he himself was lesser of the plaintiff in ejectment, though he by the charter was sole Judge of the Court.’ —(Burn’s Justice.)

“ *Sixth Authority.*

“ ‘ The cause of Foxham tithing in the county of Wilts, a justice of peace was surveyor of highways, and a matter which concerned his office coming in question at the sessions, he joined in making the order, and his name was put in the caption. Determined by Lord Chief Justice Holt, it ought not to be ; as, if an action be brought by my Lord Chief Justice Trevor, in the Court of Common Pleas, it must be before Edward Neville, Knight, and his associates, and not before Thomas Trevor ; and it was quashed.’ —(Burn’s Justice.)

“ *Seventh Authority.*

“ ‘ And the better to remove all cause of suspicion of partiality, it was wisely provided by the statutes 4th Edw. III. cap. 2 ;—8th Richard II. cap. 2 ;—and 33d Henry VIII. cap. 24 ;—that no Judge of Assize

shall hold pleas in any county wherein he was born or inhabits.'—  
(*Blackstone's Commentaries.*)

*" Eighth Authority.*

" ' Jurors may be challenged for suspicion of bias or partiality : this may be either a principal challenge, or to the favour. A principal challenge is such, where the cause carries with it evident marks of suspicion, either of favour or malice ;—as that he hath an interest in the cause ; there is an action pending between him and the party : these are principal grounds of challenge, and, if true, cannot be over-ruled.'—  
(*Blackstone's Commentaries.*)

" Gentlemen,—It would be an unpardonable waste of your time, and an insult to your understandings, to press upon you more authorities, for those I have submitted are clear to the point.

" You will now decide, gentlemen, whether Law or Justice shall finally prevail over the contrivances of George Crosley : you have the eyes of an anxious public upon you, trembling for the safety of their property, their liberty, and their lives.

" To you has fallen the lot of deciding a point which involves perhaps the happiness or misery of millions yet unborn ; and I conjure you in the name of the Almighty God, in whose presence you stand, to consider the inestimable value of the precious deposit with which you are entrusted.

" For my own part, knowing you as I do, I have no apprehensions. I feel assured, that neither expectations of reward and favour, nor dread of persecution, will influence your decision.

" It is to the *Officers of the New South Wales Corps* that the administration of justice is committed ;—and who that is just has any thing to dread ?

(Signed) " JOHN MACARTHUR."

" Sydney, January 25, 1808."

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No. 4. Page 116.

*" DEPOSITION.*

" The prisoner John Macarthur, Esq., now before the Court, claims their protection, he having received information from divers friendly persons, that a large body of men are armed, with orders to carry into execution a warrant from the Judge Advocate against him for exercising



his lawful right of challenge against the said Judge Advocate, and assigning his reasons for it, as he was directed to do by the Court.

“ The deponent farther swears, that from the information he has received, he considers his life in danger from the unprincipled and atrocious characters that are combined against him under the direction of the infamous George Crosley: he therefore declines giving any bail, and entreats the Court will be pleased to put him under the protection of a *military guard*, they being the only persons in whose hands he could consider himself secure.

(Signed) “ J. MACARTHUR.”

“ Sworn before the Court of Criminal Jurisdiction,  
this 25th day of January, 1808.

(Signed) “ A. F. KEMP, Senior Member,  
J. BRABYN, Lieut.  
WM. MOORE, Lieut.  
THOS. LAYCOCK, Lieut.  
WM. MINCHIN, Lieut.  
WM. LAWSON, Lieut.”

No. 5. Page 126.

“ To the Keeper of His Majesty’s Jail at Sydney.

“ You are hereby required and directed immediately to deliver into the custody of Garnham Blaxcell and Nicholas Bayly, Esqrs., the body of John Macarthur, Esq., who was committed by warrant dated the 25th instant, signed by Richard Atkins, Thomas Arndell, Robert Campbell, and John Palmer, Esqrs.; it having been represented to me by the officers composing the Court of Criminal Judicature, that the bail bond entered into by the said Garnham Blaxcell and Nicholas Bayly remains in full force.—Herein fail not, as you will answer the same at your peril.

“ Given under my hand and seal at Sydney, New South Wales,  
this twenty-sixth day of January, 1808.

(Signed) “ GEORGE JOHNSTON, I. P.  
“ Lieutenant Governor, and Major commanding  
New South Wales Corps.”

No. 6. Page 129.

“ The regiment marched down from the barracks, led on by Major Johnston and the other officers, with colours flying and music playing as

they advanced to the house. Within a few minutes after, the house was surrounded; the soldiers quickly broke into all parts of it, and arrested all the magistrates, Mr. Gore the provost-marshal, Mr. Griffin my secretary, and Mr. Fulton the chaplain. I had just time to call to my orderly serjeant to have my horses ready, while I went up stairs to put on my uniform, the family being then in deep mourning; when, on my return, as I was standing on the staircase waiting for my servant with my sword, I saw a number of soldiers rushing up stairs with their muskets and fixed bayonets, as I conceived to seize my person. I retired instantly into a back room, to defeat their object, and to deliberate on the means to be adopted for the restoration of my authority, which in such a critical situation could only be accomplished by my getting into the interior of the country adjacent to the Hawkesbury, where I knew the whole body of the people would flock to my standard. To this situation I was pursued by the soldiers, and after experiencing much insult was conducted below by Lieut. Minchin, who told me that Major Johnston was waiting for me. We passed together into the drawing-room, every part being crowded with soldiers under arms, many of whom appeared to be intoxicated.

"I then received a letter brought by Lieut. Moore, and signed by Major Johnston (calling himself Lieutenant Governor), requiring me to resign my authority, and to submit to the arrest under which he placed me; which I had scarcely perused, when a message was delivered to me that Major Johnston wished to speak to me in the adjoining room, at the door of which he soon after appeared, surrounded by his officers and soldiers; and in terms much to the same effect as his letter, he there verbally confirmed my arrest. Martial law was proclaimed, my secretary and my friends were prevented from seeing me, and I was left only with my daughter and another lady.

"By Major Johnston's order several persons seized my cabinet and papers, with my commission, instructions, and the great seal of the colony. These were locked up in a room guarded by two sentinels, and several others were placed round the house to prevent my escape.

"On the following day Lieut. Moore came with Major Johnston's orders, and carried away my swords and what fire-arms he found in the house."

*The following is a copy of the letter alluded to by the Governor.*

"Head Quarters, 26th January, 1808.

"Sir,

"I am called upon to execute a most painful duty: you are charged

by the respectable inhabitants of crimes that render you unfit to exercise the supreme authority another moment in this colony; and in that charge all the officers serving under my command have joined.

"I therefore require you in His Majesty's sacred name to resign your authority, and submit to the arrest which I hereby place you under by the advice of all my officers, and by the advice of every respectable inhabitant in the town of Sydney.

"I am, Sir,

"Your most obedient humble servant,

(Signed) "GEORGE JOHNSTON,

"Acting Lieutenant-Governor, and Major commanding New South Wales Corps."

"To William Bligh, Esq. F.R.S.

&c. &c. &c."

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No. 7. Page 147.

"GENERAL ORDERS.

"Horse-Guards, 2nd July, 1811.

"At a General Court-Martial, held at the Royal Hospital, Chelsea, on the 7th of May, 1811, and continued by adjournment to the 5th of June following, Lieut.-Col. George Johnston, Major of the 102d regiment, was arraigned upon the under-mentioned Charge, viz.—

'That Lieut.-Col. George Johnston, Major as aforesaid, did, on or about the 26th day of January, 1808, at Sydney, in the colony of New South Wales, begin, excite, cause, and join in, a mutiny, by putting himself at the head of the New South Wales Corps, then under his command and doing duty in the colony, and seizing and causing to be seized and arrested, and imprisoning and causing to be imprisoned, by means of the above-mentioned military force, the person of William Bligh, Esq., then Captain-General and Governor in Chief in and over the territory of New South Wales.'

"Upon which Charge the Court came to the following decision:—

"The Court having duly and maturely weighed and considered the whole of the evidence adduced on the prosecution, as well as what has been offered in defence, are of opinion that *Lieut.-Col. Johnston is Guilty* of the act of mutiny as described in the charge, and do therefore sentence him to be *cashiered*.'

"His Royal Highness the Prince Regent, in the name and on behalf

of His Majesty, was pleased, under all the circumstances of this case, to acquiesce in the sentence of the Court.

“ The Court, in passing a sentence so inadequate to the enormity of the crime of which the prisoner has been found guilty, have apparently been actuated by a consideration of the novel and extraordinary circumstances, which, by the evidence on the face of the proceedings, may have appeared to them to have existed during the administration of Governor Bligh, both as affecting the tranquillity of the colony, and calling for some immediate decision. But although the Prince Regent admits the principle under which the Court have allowed this consideration to act in mitigation of the punishment which the crime of mutiny would otherwise have suggested, yet no circumstances whatever can be received by His Royal Highness in *full* extenuation of an assumption of power, so subversive of every principle of good order and discipline, as that under which Lieut.-Col. Johnston has been convicted.

“ The Commander in Chief directs that the charge preferred against Lieut.-Col. Johnston, together with the Sentence of the Court, and His Royal Highness the Prince Regent’s pleasure thereon, shall be read at the head of every regiment, and entered in the Regimental Orderly Book.

“ By command of His Royal Highness

“ The Commander in Chief,

“ HARRY CALVERT, Adj.-Gen.”

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No. 8. Page 159.

*Extracts from a Report, by Governor Macquarie, to Earl Bathurst,  
dated London, July 27, 1822.*

“ I found the colony barely emerging from infantile imbecility, and suffering from various privations and disabilities; the country impenetrable beyond forty miles from Sydney; agriculture in a yet languishing state; commerce in its early dawn; revenue unknown; threatened with famine; distracted by faction; the public buildings in a state of dilapidation and mouldering to decay; the few roads and bridges formerly constructed rendered almost impassable; the population in general depressed by poverty; no public credit nor private confidence; the morals of the great mass of the population in the lowest state of debasement, and religious worship almost totally neglected.

“ Part of those evils may perhaps be ascribed to the mutiny of the



102d regiment; the arrest of Governor Bligh; and the distress occasioned to the settlers by the then recent floods of the Hawkesbury and Nepean Rivers, from whose banks chiefly the colony was at that time supplied with wheat.

“Such was the state of New South Wales when I took charge of its administration on the 1st of January, 1810. I left it in February last, reaping incalculable advantages from my extensive and important discoveries in all directions, including the supposed insurmountable barrier called the Blue Mountains, to the westward of which are situated the fertile plains of Bathurst; and, in all respects, enjoying a state of private comfort and public prosperity, which I trust will at least equal the expectation of His Majesty’s Government. This change may indeed be ascribed in part to the natural operation of time and events on individual enterprise: how far it may be attributed to measures originating with myself, as hereinafter detailed, and my zeal and judgment in giving effect to my instructions, I humbly submit to His Majesty and his Ministers.

“I have much satisfaction in having it in my power to state to your Lordships, that the progressive improvement and internal resources of the colony, in the great increase of the flocks and herds, and in the quantity of ground cleared and brought into tillage, keep pace with the great increase of population, as your Lordship will see by the following Comparative Statement: namely,—

“Statement of Population, &c. in March, 1810, on the first general Muster and Survey after my arrival in the colony:

Population, including the 73rd and 102nd regiments	11,590
Horned cattle	12,442
Sheep	25,888
Hogs	9,544
Horses	1,134
Acres of land cleared and in tillage under various crops	7,615

“And in October, 1821, on the last general Muster and Survey before my departure:

Population, including the military	38,778
Horned cattle	102,939
Sheep	290,158
Hogs	33,906
Horses	4,564
Acres of land cleared and in tillage under various crops	32,267

" On my taking the command of the colony in the year 1810, the amount of Port Duties collected did not exceed £8000 per annum, and there were only £50 or £60 of a balance in the treasurer's hands ; but now duties are collected at Port Jackson to the amount of from £28,000 to £30,000 per annum. In addition to this annual colonial revenue, there are port duties collected at Hobart Town, and George Town in Van Dieman's Land, to the amount of between £8000 and £10,000 per annum.

" The decayed and dilapidated state of all the public buildings both at Sydney and the subordinate settlements, and the state of the public roads and bridges throughout the colony, claimed my early attention ; but the resources then under my control were very inadequate to repairs and improvements of that nature ; my plans were circumscribed, and my progress retarded accordingly.

" At that time there were no colonial funds to defray the expense of constructing such works ; and there were then very few convict artificers or labourers in the colony : but since the existence of a colonial revenue, and after so great an increase of convict artificers and labourers as has taken place within the last seven years, all the public buildings in the colony (with a very few exceptions) have been erected by the government artificers and labourers ; as have also all the roads and bridges."

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No. 9. Page 316.

*Extract of the Assignment Regulations established by Sir Richard Bourke.*

" 2. Convicts will be assigned to persons holding under any of the foregoing tenures, according to the following scale, viz. :—

160 acres	1 man
320 ..	2 ..
480 ..	3 ..
640 ..	4 ..

And one man additional for every forty acres, not exceeding 640 acres, under plough or hoe culture.

" For every additional 160 acres of any quantity not exceeding

1280, . . . . . 1 man.

" For every additional 640 acres, . . . . . 2 men.

Provided that no one person shall in the whole have more than seventy assigned convicts in his service at any one time.

"Persons holding under any of the foregoing tenures less than 160 acres will be allowed convict labourers, but not mechanics, for land under plough or hoe culture, in the following proportions :—

20 acres	1 man.	80 acres	3 men.
40 ..	2 men.	120 ..	4 .."

The tenures alluded to in the preceding Regulation are freehold and leases of not less than three years.

*Additional Assignment Regulations.*

"1. The Board of Assignment having reported to the Governor, with reference to the 33rd paragraph of the Regulations for the assignment of male convicts, dated the 9th May, 1835, that a larger supply of convict labour may hereafter be appropriated to private service, than was contemplated when the scale contained in the 2nd paragraph of these Regulations was framed; His Excellency has been pleased to direct that the following scale of qualification, according to which agricultural labourers and mechanics will in future be assigned, be adopted in lieu of that promulgated by the Regulations referred to, namely—

160 Acres	2 men.
240 ..	3 men.
320 ..	4 men.
400 ..	5 men.
480 ..	6 men.
560 ..	7 men.
640 ..	8 men.

"For every additional 160 acres, not exceeding in the whole 1920 acres .. 1 man.

"For every additional half section or 320 acres, above 1920 acres .. 1 man.

"And in addition

"For 20 acres under hoe or plough culture .. 1 man.

.. 40 .. .. do. do. .. 2 men.

.. 60 .. .. do. do. .. 3 men.

.. 80 .. .. do. do. .. 4 men.

And one man additional for every 40 acres above 80, and not exceeding 640 acres, under hoe or plough culture.

"Provided that no person shall, in the whole, have more than seventy convicts assigned to his service at any one time, exclusive of domestic servants and boys, under Regulations of 18th March, 1833.

"Persons holding less than 160 acres will be allowed convict la-

bourers, but not mechanics, for land under hoe or plough culture, in the following proportions :—

20 acres	.	.	.	.	.	.	1 man.
40 ditto	.	.	.	.	.	.	2 men.
60 ditto	.	.	.	.	.	.	3 men.
80 ditto	.	.	.	.	.	.	4 men.
100 ditto	.	.	.	.	.	.	5 men.
120 ditto	.	.	.	.	.	.	6 men.

“ 2. It is to be understood that the land forming the qualification for assigned servants is to be held under the terms and conditions required by the first paragraph of the Regulations of the 9th May, 1835.

“ 3. Any persons who, having made the regular applications and returns through the Special Sessions in September last, are desirous of availing themselves of the enlarged scale now published, will address themselves direct to the Board of Assignment, stating the number of labourers or mechanics they require. Such persons as failed to apply at the Special Sessions in consequence of their being fully supplied, according to the former scale, will send in applications and returns in the form and manner specified in the fourth paragraph of the Regulations of the 9th of May, to the nearest petty sessions or magistrate acting singly, who will forward the same with the report required by paragraph 5 of those Regulations, to the Board of Assignment.

“ 4. Persons desirous of availing themselves of any additional qualification in land, obtained at any time after their applications have been made to the Special Sessions, in September, in any year, are permitted to send in to the Board of Assignment amended applications and returns of such newly acquired land, through the nearest petty sessions or magistrate acting singly, in form and manner required by the fourth paragraph of the Regulations of the 9th of May last.

“ 5. It is to be distinctly understood, that nothing herein contained is intended to annul the 5th paragraph of the Regulations of the 9th May last, which directs that all applications for convict labourers and mechanics assignable in the country shall be renewed at the Annual Special Sessions, to be held in September of each year.

“ 6. Not more than one domestic servant of each description will be assigned to any one individual ; and the Petty Sessions and magistrates are specially requested and enjoined to sign no application for domestic servants, unless the parties applying are in a condition of life to require them.

“ 7. Any person not possessing the qualification required by the



existing Regulations, who, by assignments made previously to the operation of the Regulations of the 9th of May, 1835, is found to have convicts in his service, will not receive any domestic servants, whatever may be his condition of life, until the number of such be reduced below four; and any person having by former assignment more than the full number of assigned servants allowed by the scale now promulgated, will not receive any convicts as a domestic servant until the excess be reduced below four.

“8. It having been represented to the Governor, that much inconvenience and loss have been experienced by assignees who have been deprived of one or more of their assigned servants by reason of the capital conviction or transportation of those servants, and the impossibility, in some of the more remote parts of the colony, of obtaining free labourers to supply their places; His Excellency is pleased to direct, that in all cases in which it shall appear that the Regulations of Government have been fully carried into effect for the maintenance and control of the assigned servants so convicted or transported, and that the commission of the offence was not in any way attributable to misconduct or neglect of the assignee, he shall be immediately supplied with the number of labourers, including the equivalent for any mechanic, of which he may have been thus deprived by sentence of the law. Applications for servants under the circumstances stated, are to be made to the Governor, through the Colonial Secretary, accompanied by a certificate of the conviction of the servants, and of the committing magistrate, as to the circumstances attending the commission of the offence.

“9. Vacancies in the number of assigned servants occasioned by death, will be filled as soon as circumstances permit, upon the casualty being reported by the assignee to the Principal Superintendent of Convicts, and by the latter to the Board of Assignment.”

No. 10. Page 344.

ABSTRACT OF THE CENSUS OF THE POPULATION  
OF NEW SOUTH WALES TAKEN IN SEPTEMBER, 1833.

Male.			Female.			Total.
Free.		Convict.	Free.		Convict.	
Above 12.	Under 12.		Above 12.	Under 12.		
17,542	5256	21,845	8522	4931	2698	60,794

## RELIGION.

Protestant.	Roman Catholic.	Jews.	Pagans.	Uncertain.
43,095	17,238	345	56	42

## POPULATION OF SYDNEY IN 1833.

Male.			Female.			Total.
Free.		Convict.	Free.		Convict.	
Above 12.	Under 12.		Above 12.	Under 12.		
6108	1850	1855	3697	1837	885	16,232

## RELIGION.

Protestant.	Roman Catholic.	Jews.	Pagans.	Uncertain.
12,079	3922	209	22	

ESTIMATE OF THE PRESENT AMOUNT OF THE GENERAL  
POPULATION.

Population, as per census 2d Sept., 1833	60,794
Emigrants arrived from 2d Sept. to 31st Dec. 1833, being } average of the year	892
Convicts do. do. do. do. do.	1,380
Births do. do. do. do. do.	620
Emigrants arrived from 1st Jan., 1834, to 30th June, 1836	3,616
Convicts do. do. do. do. do.	8,559
Births do. do. being average of 1834	5,000
	20,067
	80,861
Deaths from 2d Sept., 1833, to 30th June, 1836, average	3,500
Population, 30th June, 1836,	77,361

No. 11. Page 364.

RETURN OF THE AMOUNT OF IMPORTS AND EXPORTS, INTO AND FROM NEW SOUTH WALES, DURING THE FOLLOWING YEARS, AND OF THE NUMBER OF VESSELS AND AMOUNT OF TONNAGE EMPLOYED.

## 1. IMPORTS.

From										Tonnage	
Year.	Gt. Britain.		British Colonies.		Foreign States and Fisheries.		Total.		Number of Vessels.	Tons.	Me
	£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.			
1828	399,891	7 11	125,862	7 9	44,246	4 4	570,000	0 0	137	32,559	2,
1829	423,463	0 0	135,486	0 0	42,055	0 0	601,004	0 0	158	37,342	2,
1830	268,935	0 0	60,356	0 0	91,189	0 0	420,480	0 0	157	31,225	2,
1831	241,989	0 0	68,804	0 0	179,359	0 0	490,152	0 0	155	33,900	2,
1832	409,344	0 0	47,895	0 0	147,381	0 0	604,620	0 0	189	36,020	3,
1833	434,220	0 0	61,662	0 0	218,090	0 0	713,972	0 0	210	50,144	3,
1834	669,663	0 0	124,570	0 0	197,757	0 0	991,990	0 0	245	57,442	5,
1835	707,183	0 0	144,784	0 0	240,533	0 0	1,092,500	0 0	260	63,019	

## 2. EXPORTS.

To										Tonnage					
Year.	Gt. Britain.			British Colo- nies.		Foreign States and Fisheries.			Total.	Number of Vessels.	Tons.	Me			
	£.	s.	d.	£.	s.	d.	£.	s.	d.						
1828	84,005	17	8	4,845	13	10	1,198	18	2	90,050	9	8	69	20,186	1,9
1829	146,283	0	0	12,692	0	0	2,741	0	0	101,716	0	0	168	37,586	2,9
1830	120,559	0	0	15,597	0	0	5,305	0	0	141,461	0	0	147	28,822	2,3
1831	211,138	0	0	60,354	0	0	52,676	0	0	324,168	0	0	165	35,252	2,8
1832	252,106	0	0	63,934	0	0	68,304	0	0	384,344	0	0	114	42,857	3,3
1833	269,508	0	0	67,344	0	0	57,949	0	0	394,801	0	0	209	48,335	3,5
1834	400,738	0	0	128,311	0	0	58,691	0	0	587,640	0	0	220	53,373	3,9
1835	495,937	0	0	68,721	0	0	66,223	0	0	630,881	0	0	269	66,964	

## No. 11.—(Continued.)

RETURN OF THE PRINCIPAL ARTICLES IMPORTED INTO  
NEW SOUTH WALES, DURING THE YEARS 1828 to 1835.

Year.	Spirits.	Wines.	Beer and Ale.	Tea.	Sugar.	Coffee.
	Gallons.	Gallons.	Gallons.	Pounds.	Pounds.	Pounds.
1828	339,978	197,360	194,750	129,404	4,412,800	15,708
1829	283,198	227,987	238,418	355,236	1,987,897	5,346
1830	99,459	52,671	214,956	338,825	4,746,560	3,623
1831	130,976	78,751	76,067	602,709	3,119,648	17,380
1832	373,599	161,410	244,490	106,849	4,668,578	5,795
1833	204,089	65,975	198,193	407,624	3,778,880	55,188
1834	352,721	221,057	226,756	789,945	7,445,781	23,189
1835	501,282	283,234	274,798	1,272,853	5,422,196	200,002

Year.	Salt Provisions.	Tobacco.	Cottons.	Linens.	Silks.	Woollens.	Soap, Tallow, and Candles.
	Pounds.	Pounds.	Yards.	Yards.	Yrds.	Yards.	Pounds.
1828	710,376	384,067	659,463	351,752	31,048	£20,849 value.	353,921
1829	536,432	230,404	498,212	156,103	23,940		264,127
1830	413,317	42,471	391,444	66,166	17,725		11,296
1831	94,268	165,000	781,226	76,235	7,200		68,419
1832	1,841,812	84,241	120,663	126,318	28,867		251,080
1833	307,440	312,419	878,625	200,694	28,365	139,500	301,058
1834	3,147,159	289,828	1,447,839	283,358	38,962	305,795	259,286
1835	388,458	249,851	1,642,390	140,770	38,415	313,656 exclusive of 18,071 pairs of blankets, &c. &c.	485,024



## No. 11.—(Continued.)

RETURN OF THE PRINCIPAL ARTICLES OF COLONIAL EXPORT  
SHIPPED FROM NEW SOUTH WALES, DURING THE FOLLOWING  
YEARS.

Year.	Wool.	Cedar.	Blue Gum.	Tree-nails.	New Zealand Flax.	Sperm Oil.	Black Oil.	Whale-bone.	Cocoa and Se and Elepha Oil.
	Pounds.	Feet.	Feet.	No.	Tons.	Tons.	Tons.	Tons.	Tons.
1828	834,343*	847,805	285,541	65,837	60	311	28	0 17	123
1829	1,005,333	940,486	608,647	181,817	270	921	—	—	—
1830	899,750	368,830	179,403	23,959	602	983	98	9 16	92
1831	1,401,284	580,393	302,410	24,316	751½	1571	505	28 0	57¾
1832	1,515,156	418,930	214,462	186,831	800½	2491	695	43 0	—
1833	1,734,203	1,086,437	147,170	328,503	211	3048½	418	27 0	—
1834	2,246,933	899,492	35,550	212,467	391	2759½	976	4 12	—
1835	3,776,191	922,542	209,128	196,969	244	2904	1159	108 0	—

\* The quantity of wool shipped in 1819 was 71,299 lbs.

1820	112,616
1821	175,433
1822	172,880
1823	198,240
1824	275,560
1825	411,600
1826	552,960
1827	407,116

Year.	Seal-skins.	Hides.	Butter and Cheese.	Salt Provisions.	Maize.	Flour and Biscuit.	Coals.	Cattle.	Horses.
			Pounds.	Pounds.	Bushels.	Pounds.	Tons.		
1828	8,723	4,415					974		
1829	11,362	8,771							
1830	9,720	10,747		313,152		272,037			13
1831	4,424	14,320	131,376	361,760	7,280	504,000			33
1832	1,415	44,335	156,566	1,265,764	10,437	982,339	866	54	18
1833	1,890	12,117	150,528	1,122,240	6,347	1,489,600	1,339	298	16
1834	890	40,830	1,408,736	1,722,000	22,038	1,198,960	2,023	186	9
1835	667	35,679	224,000	1,675,520	954	846,720	2,492	111	10

Year.	Sheep.	Tobacco and Snuff.	Soap and Candles.	Tallow.
		Pounds.	Pounds.	Pounds.
1831			43,344	
1832	264	21,448	48,993	110,125
1833		19,936	87,752	42,025
1834	862	44,184	25,200	
1835	2,402	128,211	76,160	

## No. 12. Page 364.

VIEW OF THE PROGRESSIVE INCREASE OF THE REVENUE  
OF THE COLONY OF NEW SOUTH WALES.

1826	.	.	.	.	.	.	72,220	18	8½
1827	.	.	.	.	.	.	79,309	13	8½
1828	.	.	.	.	.	.	94,862	7	4½
1829	.	.	.	.	.	.	102,784	16	2
1830	.	.	.	.	.	.	104,729	4	1¼
1831	.	.	.	.	.	.	121,065	14	11
1832	.	.	.	.	.	.	135,909	15	6½
1833	.	.	.	.	.	.	164,063	5	10
1834	.	.	.	.	.	.	205,535	10	2½
1835	.	.	.	.	.	.	273,744	13	11½
1836	Estimated amount, including £60,000 of estimated balance over expenditure for 1835						259,300	0	0
	More probably						300,000	0	0

## No. 13. Page 375.

RETURN OF VESSELS BELONGING TO THE UNITED STATES  
OF AMERICA THAT HAVE ARRIVED IN NEW SOUTH  
WALES FROM 1832 TO JUNE 15, 1836.

Year.	Vessels.	Tons.	Whence.
1832	Tybee . . .	298	United States
1833	Ditto . . .	ditto	South Sea Islands
—	Black Warrior . .	248	United States
1834	Tybee . . .	298	Ditto
—	Black Warrior . .	248	Ditto
—	Augustus . . .	241	South Sea Islands
—	Malta . . .	149	Ditto
—	Ditto . . .	ditto	Ditto
1835	Henry Clay . . .	435	United States
—	Margaret Oakley .	250	South Sea Islands
—	Black Warrior . .	248	Ditto
—	Brothers . . .	258	United States
—	Charles Doggett .	110	Ditto
—	Draco . . .	258	Ditto
—	Huron . . .	290	Sperm Fishery
—	Tybee . . .	298	United States
—	Tim . . .	164	Ditto
—	Chalcedony . . .	214	Ditto
—	Corvo . . .	348	Ditto
—	Augustus . . .	241	Manilla
—	Sarah Lee . . .	235	Sperm Fishery
—	Halcyon . . .	311	South Sea Islands
—	Charles Doggett .	110	Ditto
1836	Vermont . . .	292	Sperm Fishery
—	Favourite . . .	293	Ditto
—	Chalcedony . . .	214	New Zealand
—	Black Warrior . .	248	United States
—	Palinure . . .	369	Ditto
		7,115	

N.B. The cargoes from the United States have hitherto consisted chiefly of flour, bread, furniture, turpentine, &c. &c.

No. 14. Page 382.

*Extract of Melville's Letter to his owners in London, on the subject of establishing a Sperm-Whale Fishery in New South Wales.*

" Ship Britannia, Sydney, Port Jackson, Nov. 29th, 1791.

" Gentlemen,

" I have the pleasure to inform you of our safe arrival in Port Jackson, in New South Wales, after a passage of fifty-five days from the Cape of Good Hope.

" The day before we made the island of Amsterdam, we saw two shoals of sperm whales. After we doubled the south-west cape of Van Dieman's Land, we saw a large sperm whale off Maria's Islands, but did not see any more, being very thick weather and blowing hard, till within fifteen leagues of the latitude of Port Jackson. Within three leagues of the shore we saw sperm whales in great plenty: we sailed through different shoals of them from twelve o'clock in the day till after sunset, all round the horizon, as far as I could see from the mast-head: in fact, I saw a very great prospect in making our fishery upon this coast, and establishing a fishery here. Our people were in the highest spirits at so great a sight, and I was determined, as soon as I got in and got clear of my live lumber, to make all possible dispatch on the fishery on this coast.

" On our arrival here, I waited upon His Excellency Governor Phillip, and delivered my letters to him. I had the mortification to find he wanted to dispatch me with my convicts to Norfolk Island, and likewise wanted to purchase our vessel to stay in the country; which I refused to do. I immediately told him the secret of seeing the whales, thinking that would get me off going to Norfolk Island, that there was a prospect of establishing a fishery here, and might be of service to the colony, and left him. I waited upon him two hours afterwards with a box directed to him: he took me into a private room; he told me he had read my letters, and that he would render me every service that lay in his power; that next morning he would dispatch every long-boat in the fleet to take our convicts out, and take our stores out immediately; which he did accordingly, and did every thing to dispatch us on the fishery. Captain King used all his interest in the business. The secret of seeing whales

our sailors could not keep from the rest of the whalers here: the news put them all to the stir, but have the pleasure to say, we were the first ship ready for sea, notwithstanding they had been some of them a month arrived before us. We went out, in company with the William and Ann, the eleventh day after our arrival. The next day after we went out, we had very bad weather, and fell in with a very great number of sperm whales. At sun-rising in the morning, we could see them all round the horizon. We run through them in different bodies till two o'clock in the afternoon, when the weather abated a little, but a very high sea running. I lowered away two boats, and Bunker followed the example: in less than two hours we had seven whales killed, but unfortunately a heavy gale came on from the south-west, and took the ship a-back with a squall, that the ship could only fetch two of them; the rest we were obliged to cut from, and make the best of our way on board to save the boats and crew. The William and Ann saved one; and we took the other, and rode by them all night with a heavy gale of wind. Next morning it moderated, and we took her in; she made us twelve barrels. We saw large whales next day, but were not able to lower away our boats: we saw whales every day for a week after, but, the weather being so bad, we could not attempt to lower a boat down. We cruised fifteen days in all. The day after we came in, the Mary Ann came in off a cruise, having met with very bad weather, shipped a sea, and washed her try-works overboard. He informed me he left the Matilda in a harbour to the northward, and that the Salamander had killed a forty-barrel whale, and lost her by bad weather. There is nothing against making a voyage on this coast but the weather, which I think will be better next month: I think to make another month's trial of it. If a voyage can be got upon this coast, it will make it shorter than going to Peru.

"The colony is all alive, expecting there will be a rendezvous for the fishermen. We have the pleasure to say, we killed the first four whales on this coast.

"I am, Sirs, your humble servant,

"THOMAS MELVILLE."

"Messrs. Samuel Enderby and Sons."



No. 15. Page 383.

RETURN OF THE PRODUCE OF THE FISHERIES BY VESSEL  
BELONGING TO NEW SOUTH WALES DURING THE YEARS 1828  
TO 1835, INCLUSIVE.

Year.	No.	Vessels.	Men.	Sperm Oil.	Black Oil.	Sea Elephant Oil.	Seal Skins.	Whalebone.	Value.
		Tonnage.		Tons.	Tons.	Tons.	No.	Tons.	£.
1828	—	—	—	311	28	31	8,723	0 17 0	27,011
1829	28	2,739	421	885	—	48	12,350	—	—
1830	32	3,687	444	1282	582	47	5,617	—	—
1831	31	5,391	592	1914	1,004	—	4,972	—	120,752
1832	20	3,497	415	1482	391	—	891	10 0 0	87,558
1833	27	6,922	784	3483	420	—	2,465	24 0 0	169,278
1834	34	5,534	647	2243	1,124	—	1,105	41 0 0	139,498
1835	22	5,162	609	2339	1,288	—	850	127 0 0	147,373

LIST AND TONNAGE OF VESSELS BELONGING TO NEW SOUTH  
WALES, EMPLOYED IN THE WHALE-FISHERY, DEC. 31, 1835.

	Tons.		Tons.		Tons.
Australian . . . . .	264	Genii . . . . .	164	Pocklington . . . . .	20
Anastatia . . . . .	211	Guide . . . . .	147	Proteus . . . . .	25
Avon . . . . .	261	Juno . . . . .	212	Scamander . . . . .	19
Bee . . . . .	134	Jane . . . . .	221	Sisters . . . . .	28
Caernarvon . . . . .	222	Lady Blackwood . . . . .	253	Tamar . . . . .	19
Caroline . . . . .	196	Lady Leith . . . . .	153	Tigress . . . . .	19
Cape Packet . . . . .	210	Lady Wellington . . . . .	196	Vittoria . . . . .	28
Clarkstone . . . . .	278	Lunar . . . . .	165	William Wallace . . . . .	26
Cornwallis . . . . .	177	Lynx . . . . .	180	Wolf . . . . .	26
Denmark Hill . . . . .	252	Louisa . . . . .	242	Woodlark . . . . .	24
Earl Stanhope . . . . .	295	Lucy Anne . . . . .	214	William . . . . .	32
Elizabeth . . . . .	363	Mary . . . . .	250		
Fame . . . . .	203	Nereus . . . . .	125		
Governor Bourke . . . . .	214	Nimrod . . . . .	231		
Governor Halket . . . . .	332	Nourmahul . . . . .	197		
				Total	925
				41 Vessels in all.	

No. 16. Page 384.

RETURN OF THE GROSS DECLARED VALUE OF EXPORTS AND  
IMPORTS TO AND FROM THE PORTS OF NEW SOUTH WALES  
AND ANY PART OF NEW ZEALAND, DURING 1833—1835.

Exports.		Imports.	
£.	s. d.	£.	s. d.
In 1833, 14,199	0 0	20,333	0 0
In 1834, 23,498	0 0	18,037	0 0
In 1835, 40,746	0 0	28,711	0 0

Custom House, Sydney,  
14th July, 1836.

J. GIBBS, Collector.  
R. S. WEBB, Acting Controller.

No. 17. Page 388.

RETURN OF THE NUMBER OF VESSELS BUILT AND REGISTERED IN NEW SOUTH WALES, FROM 1822 TO 1835.

Year.	Vessels Built.		Vessels Registered.		Crew.
	No.	Tons.	No.	Tons.	No.
1822			3	163	
1823			3	182	
1824			5	157	
1825			2	119	
1826			12	654	
1827			9	434	
1828	6	162	13	478	
1829	15	512	5	428	51
1830	3	72	25	1,777	
1831	5	112	38	3,224	392
1832	5	222	21	2,143	241
1833	6	393	29	2,655	233
1834	9	376	19	1,852	139
1835	7	303	21	2,267	192

No. 18. Page 390.

## BANK OF NEW SOUTH WALES.

Instituted November, 1816. Capital £150,000, in 1500 Shares.

Result of Affairs, 30th June, 1836.

	£.	s.	d.		£.	s.	d.
Stock	92,955	0	0	Bills discounted	214,893	18	4
Notes out.	32,222	0	0	Coin	74,751	10	5
Deposits	159,131	11	1	Mortgages	2,524	2	2
Profit	7,946	7	4	Furniture, &c.	300	0	0
Unclaimed dividends	214	12	6				
	292,469	10	11		292,469	10	11

Dividend, 30th June, 1836, 9 per cent for that half-year.

## BANK OF AUSTRALIA.

Instituted February, 1826. Capital £220,000.

Result of Affairs, 30th June, 1836.

	£.	s.	d.		£.	s.	d.
Stock	86,186	5	0	Bills discounted	223,130	0	6
Notes out	37,103	0	0	Coin	54,502	18	5
Deposits	147,501	14	5	Mortgages	3,400	0	0
Accumulating fund	2,000	0	0	Bonds	613	5	6
Profit	8,855	5	0				
	281,646	4	5		281,646	4	5

Dividend, 30th June, 1836, 8 per cent, with  $2\frac{1}{2}$  per cent from the accumulating fund, making the dividend for the half-year  $10\frac{1}{2}$  per cent.

## COMMERCIAL BANKING COMPANY OF SYDNEY.

Instituted November, 1834. Capital £300,000, in 3000 Shares.

Result of Affairs, 30th June, 1836.

	£.	s.	d.		£.	s.	d.
Stock . . . . .	115,567	0	0	Bills discounted . . . . .	201,587	0	0
Notes out . . . . .	30,320	0	0	Coin . . . . .	40,645	0	0
Deposits . . . . .	99,036	0	0	Bonds . . . . .	6,274	0	0
Profits by discount . . . . .	9,864	0	0	Balances due by } . . . . .	4,973	0	0
Expenses, salaries . . . . .	803	0	0	other Banks . . . . .			
Interest on deposits . . . . .	1,081	0	0	Real estate . . . . .	2,325	0	0
Loss by a forgery . . . . .	9	0	0	Furniture, &c. . . . .	876	0	0
	256,680	0	0		256,680	0	0

Dividend, 30th June, 1836, 7½ per cent for that half-year.

## BANK OF AUSTRALASIA.

Commenced business in the colony 14th December, 1835. Capital £200,000 paid up. Interest allowed on current Accounts, at the rate of 4 per cent per Annum.

Result of Affairs, 11th April, 1836.

	£.	s.	d.		£.	s.	d.
Notes in circulation } not bearing interest }	6,755	17	8	Coin and bullion in } Bank . . . . . }	25,256	14	10
Bills in circulation } not bearing interest }	2,508	17	1	Landed property of } the Corporation . . }	0	0	0
Bills and Notes in } circulation bearing } interest }	0	0	0	Bills of other Banks . . . . .	0	0	0
Balance due to other } Banks . . . . . }	0	0	0	Balance due from } other Banks . . . . }	429	6	10
Cash deposited not } bearing interest . }	24,499	14	2	Bills and debts due } to the Bank . . . . }	60,486	8	0
Cash deposited bear- } ing interest . . . }	10,106	14	8				
Total liabilities } within the colony }	43,871	3	7	Total assets within } the colony . . . . }	86,172	9	8

In addition to the above assets, the average amount of the paid up capital of the Corporation in hands of the Court of Directors in London, for the use of the Colonial Establishment, was £98,630. 9s. 2d.

## AUSTRALIAN MARINE ASSURANCE COMPANY.

Established July, 1831. Capital £140,000; £14,000 paid up.

Dividend, 30th June, 1836, 8½ per cent for that half-year.

## UNION ASSURANCE COMPANY OF SYDNEY.

Established January, 1836. Capital £250,000, in 5000 Shares. Capital paid up, £2. 10s. per Share, £12,500. Profits not to be divided for three years. Capital increased to £16,659, 30th June, 1836.

## SAVINGS' BANK.

Established by Act of Council, 9th March, 1835.

Result of Affairs, 31st December, 1835.

	£.	s.	d.		£.	s.	d.
Amount to the credit of 584 depositors, including interest, at 5 per cent, to 31st Dec. 1835	24,469	17	6	Amount lent on 60 mortgages, with interest due thereon, to 31st Dec. 1835	23,876	18	3
Amount deposited by Government on account of 2175 convicts, including interest, at 5 per cent, to 31st Dec. 1835	8,023	18	11	Do., lent on 40 bills	8,166	10	11
Amount to credit of the Hibernia subscription fund, including interest, at 5 per cent, to 31st Dec. 1835	121	13	6	Do., in hands of the colonial treasurer	2,066	12	4
Balance of interest in favour of the institution, after allowing 5 per cent on all deposits	1,759	1	4				
Deduct charge for 1835.							
Account's salary	200	0	0				
Stationery, iron chest, &c.	19	1	0				
Furniture for, alterations to, and securing new office	105	8	9				
	324	9	9				
	1,434	11	7				
	34,050	1	6				
					34,050	1	6

It was resolved by the Trustees, and approved by the Governor, that in addition to the 5 per cent placed to the credit of the depositors, 3¼ per cent should be added, making the interest to 31st Dec. 1835, 8¼ per cent.



No. 19. Page 390.

ABSTRACT OF THE ESTIMATED EXPENDITURE OF THE  
COLONIAL GOVERNMENT, FOR THE YEAR 1837.

Service.	Salaries.			Contingencies.			Totals.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
His Excellency the Governor and Judges }	10,000	0	0	—			10,000	0	0
Civil Establishment .	22,615	6	3	9,427	13	7½	32,042	19	10½
Survey and Public Works .	14,275	15	0	29,689	11	0	43,965	6	0
Judicial Establishment .	11,643	18	9	8,585	5	0	20,229	3	9
Police and Jails .	31,224	0	10	13,976	12	6	45,200	13	4
Church Establishment .	11,557	10	0	7,610	0	0	19,167	10	0
School Establishment .	996	3	6	12,018	15	5	13,014	18	11
Military Establishment .	91	5	0	—			91	5	0
Pensions .	860	0	0	—			860	0	0
Miscellaneous Services .	—			56,101	14	10	56,101	14	10
	103,263	19	4	137,409	12	4½	£ 240,673	11	8½

Amounting in all to two hundred and forty thousand, six hundred and seventy-three pounds, eleven shillings, and eight pence, half-penny.

ALEXANDER M'LEAY, Colonial Secretary.

The Ways and Means to meet this charge are—

	£.	s.	d.
Customs Duty on Spirits . . . . .	120,000	0	0
Duty on Tobacco . . . . .	12,000	0	0
<i>Ad valorem</i> Duty . . . . .	10,000	0	0
Miscellaneous . . . . .	3,000	0	0
Tolls, Ferries, and Market Dues . . . . .	4,000	0	0
Licenses for retailing Spirits . . . . .	10,000	0	0
Auction Duties . . . . .	4,000	0	0
Duty on Colonial Spirits . . . . .	1,200	0	0
Fees collected in Public Offices . . . . .	9,000	0	0
Collections by Agent of the Church and School Estates . . . . . }	4,500	0	0
Post Office . . . . .	5,000	0	0
Miscellaneous . . . . .	3,000	0	0
Probable Balance of Revenue of Crown Lands after deducting Charges of Immigration . }	80,000	0	0
Balance unexpended on 31st December, 1835 .	18,845	2	7
Total . . . . .	£284,545	2	7

To the Ways and Means for 1837, thus shown to amount to £284,545. 2s. 7d. may be added the value of Treasury Bills due to the Colony amounting to £80,000, and making in the whole the sum of £364,545. 2s. 7d. to meet the charge of £241,423. 11s. 8½d.

The Charge of the Supplementary Estimate for 1836 will be fully met by the excess of Revenue over Expenditure in the present year.

5th July, 1836.

RICHARD BOURKE.

No. 20. Page 391.

Names of Counties.	Contents in	
	Square miles.	Acres.
Cumberland . .	1,445	924,800
Camden . .	2,188	1,400,320
Northumberland . .	2,342	1,498,880
Durham . .	2,117	1,354,880
Hunter . .	2,056	1,315,840
Cook . .	1,665	1,065,600
Westmoreland . .	1,592	1,018,880
Argyle . .	1,951	1,248,640
Murray . .	2,248	1,458,080
King . .	1,781	1,159,840
Georgiana . .	1,924	1,231,360
Bathurst . .	1,860	1,190,400
Roxburgh . .	1,519	972,160
Phillip . .	1,618	1,035,520
Brisbane . .	2,344	1,500,160
Bligh . .	1,683	1,077,120
Wellington . .	1,656	1,059,840
Gloucester . .	2,930	1,875,200
Macquarie . .	2,000	1,280,000
St. Vincent . .	2,667	1,706,880
	39,586	25,374,400
Extent of land alienated up to 31st December, 1835		3,835,744
Extent of unappropriated land within the colonial } territory . . . . . }		21,538,656

No. 21. Page 416.

RETURN OF GRAIN, FLOUR, &c., IMPORTED INTO NEW SOUTH WALES, AND OF THE AVERAGE PRICE OF WHEAT PER BUSHEL, DURING THE FOLLOWING YEARS.

	Wheat in bushels of 60 lbs each.	Barley and Oats.	FLOUR and Bread.	Rice.	Pota- toes.	Grain.	Average price of Wheat per bushel.		
Year.		Bushels.	Pounds.	Pounds.	Tons.	Bshls.	£.	s.	d.
1828	85,716	8,689	331,520	403,200	369	2000	0	10	8½
1829	107,929	2,575	42,076	183,703	548		0	9	4
1830	70,904	183	2,226	29,898	190		0	6	5½
1831	71,892	758	358,154	54,161	142		0	5	7
1832	42,106	929	48,664	90,252	93		0	4	8½
1833	19,507	7,081	14,272	39,200	422		0	4	3½
1834	16,171	2,682	281,566	304,445	396		0	8	3
1835	122,908	15,997	1,377,018	1,139,551	520		0	8	6½

Wheat, barley, oats, and potatoes, are imported chiefly from Van Dieman's Land; potatoes, partly from New Zealand; rice, flour, and bread, from India and the United States. In 1828, one of the years of drought, a Sydney miller bought 6000 bushels of Van Dieman's Land wheat at 20s. per bushel. The value of the imports above enumerated in 1835 was £74,113.

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END OF VOL. I.

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PRINTED BY A. J. VALPY,  
RED LION COURT, FLEET STREET.

BY THE SAME AUTHOR.

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# TRANSPORTATION

AND

## COLONIZATION ;

OR,

THE CAUSES OF THE COMPARATIVE FAILURE OF  
THE TRANSPORTATION SYSTEM  
IN THE AUSTRALIAN COLONIES:

### WITH SUGGESTIONS

FOR ENSURING ITS FUTURE EFFICIENCY IN SUBSERVIENCY  
TO EXTENSIVE COLONIZATION.

“ The contents of this volume are worthy the attention of His Majesty’s government, of the legislature, and the whole British public : indeed, although it contained no other statements and reasonings than those which bear upon the subject of secondary punishments, or no other suggestions than those which immediately concern the framers of criminal laws, Dr. Lang deserves the gratitude of his countrymen, whether at home or abroad.”—*Monthly Review*.



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AN HISTORICAL AND STATISTICAL  
ACCOUNT  
OF  
NEW SOUTH WALES,  
BOTH  
AS A PENAL SETTLEMENT  
AND AS A BRITISH COLONY.

BY JOHN DUNMORE LANG, D.D.,

SENIOR MINISTER OF THE SCOTS CHURCH, AND PRINCIPAL OF THE  
AUSTRALIAN COLLEGE, SYDNEY, NEW SOUTH WALES.

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"We have seen the land, and, behold, it is very good."—JUDGES xviii. 9.

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SECOND EDITION,

WITH NUMEROUS ADDITIONS, BRINGING DOWN THE HISTORY OF THE  
COLONY TO THE CLOSE OF 1836.

IN TWO VOLUMES.

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AN  
HISTORICAL AND STATISTICAL ACCOUNT  
OF  
NEW SOUTH WALES.

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CHAPTER I.

ON THE DISTRIBUTION, EMPLOYMENT, CONDITION,  
AND CHARACTER OF THE CONVICT-POPULATION.

---

*Exilium non supplicium est, sed perfugium portusque supplicii.*

*CICERO PRO CÆCIN. c. 34.*

“ Banishment was not decreed as a species of punishment by the laws of Rome, but was rather a state of refuge and an asylum, of which the law, in certain cases, permitted the criminal to avail himself.”

---

For some time after the original establishment of the colony of New South Wales in the year 1788, the whole of the convict-population of the colony, with the exception of those individuals who were retained as house-servants by the Government officers of the settlement, were employed on account of the Government, either in agriculture or in the public works. In process

of time, however, a few families of free emigrants arrived and settled in the colony ; and many individuals who had arrived as convicts became free by servitude, and established themselves advantageously, either as agriculturists in the country, or as mechanics or shopkeepers in the towns. In this state of things, it became a usual practice, on the part of the colonial government, to assign one or more convicts to private persons who were able to maintain and employ them either in Sydney or in the country ; to relieve the government of the cost of their maintenance on the one hand, and to assist deserving individuals to whom their services were of value on the other. The convicts so assigned were employed variously according to the pursuits or occupation of the master ; some as house-servants, some as shopmen, some as mechanics, but the great majority as farm-servants and stock-keepers : and to incite the convict or prison population of the colony to good conduct, persons of that class, who had conducted themselves well, but were not entitled to any indulgence from the Government, were occasionally favoured with tickets of exemption from Government-labour, and allowed to employ themselves for the period specified in the ticket for their own advantage ; while persons of the same class who had served a certain number of years, without being guilty of any fresh misdemeanour, were allowed tickets of leave, which implied a permanent indulgence of a similar kind during good conduct. The ticket of leave was procurable, according to the colonial regulations, by a convict for seven years at the expiration of four years ; by a

convict for fourteen years, at the expiration of six years ; and by a convict for life, at the expiration of eight years. The Governor was empowered, moreover, to grant both conditional and absolute pardons whenever he deemed it expedient to do so ; either of which, as well as a certificate of freedom, implying that the period for which the individual had been transported had expired, was supposed to restore him to all the rights and privileges of a free subject in the colony. That such a system of management was well calculated to promote the grand object of Government, in the establishment of the colony of New South Wales—I mean the reformation of its convict-population—the reader will doubtless acknowledge ; and that it actually had such an effect in many instances I am happy to bear testimony. It is only to be regretted that a counteracting influence, arising both from the measures of Government and the general procedure of its officers, was too often and too successfully exerted in the modes I have already particularized ; and that the private interests and the passions of individuals, from whom better things might have been expected, were supposed to be linked with the perpetuation and extension of the vice of the colony, rather than with its gradual advancement in the practice of virtue.

Till the year 1821, when the current of free emigration began to set in strongly for New South Wales, the number of free persons in the territory was comparatively small, and the great majority of the convict-population had consequently to be employed variously in the service of Government. I have already had oc-



casion to show that this was decidedly a most unfortunate state of things for the colony ; and that the health and vigour of its body politic would have been promoted in a great variety of ways, had the system so early and so strongly recommended by Governor Phillip been duly followed up, or, in other words, had there been a much earlier influx and a much greater amount of free emigration.

The talent for managing masses of men is unquestionably one of the rarest gifts of the Creator ; and the case is surely by no means altered, nor the difficulties it implies in any way diminished, when the persons to be so managed are in a state of thorough depravity. In short, it was a matter of absolute necessity that the government of the colony, being thus deprived of the stay and support of a numerous free population, should have been entrusted, in the earlier stages of its existence, to men who really possessed this talent and who were known to do so ; for the command of the troops that were required to protect the settlement was a matter of very inferior consideration. Great mistakes, however, were committed in this respect ; and the management of the convict-population of the colony was entrusted, in many instances, to men who had neither the wisdom nor the virtue which a situation of so much real difficulty imperatively required. The consequences, as might well be anticipated, were unfavourable in the highest degree to the morals of the settlement.

I have already particularized the modes in which the numerous convicts in the service of Government, up to the close of Governor Macquarie's administration,

were distributed. A large proportion of them were employed in the various processes connected with the Government buildings and the other public works in progress throughout the colony: the remainder were employed chiefly on the Government or experiment-farms. The erection of such buildings and the establishment of such farms, were temptations into which the Government of the colony naturally fell, from the superabundance of convict-labour—of which it always possessed the unlimited command and the absolute disposal, and from the want of a free emigrant agricultural population, to enable it to disperse the convicts all over the territory, and to employ them in much greater number in the labours of the field.

This superabundance of convict-labour led, during the earlier part of the administration of Sir Thomas Brisbane, to an arrangement which was highly beneficial to a number of respectable settlers in certain parts of the colony, but of which the continued influx of free settlers prevented the extension to other districts, in which it would doubtless have been equally beneficial, and soon led to its entire discontinuance. The arrangement I allude to, consisted in the institution of *clearing-gangs*, or parties of convicts in the service of Government, each under the charge of an overseer—who were stationed for certain periods on the lands of private individuals to fell and to burn off the standing timber. This was done at so much per acre, the proprietor who obtained the indulgence engaging to pay the Government in wheat—the produce of the land so cleared by Government-labour.

This arrangement, which was introduced at the suggestion of Major Goulburn, then Colonial Secretary of New South Wales, was exceedingly well devised ; for, while it provided suitable employment for the convicts in Government-service, and ensured the enforcement of a uniform and salutary discipline, it was of singular benefit to the free settler, in enabling him to cultivate a much greater extent of land than he could otherwise have done. The clearing-gangs were all numbered, and were under the charge of a general superintendent, who could ride about to the different farms on which they were respectively stationed, and inspect them occasionally ; while the overseer of each was responsible for the due performance of the allotted quantum of task-work. Had a system of free emigration been encouraged and promoted, as it ought to have been from the first settlement of the colony, and had the Government assisted the free settlers by some such arrangement as this, the following good effects would have resulted to the colonial community : a large extent of land would have been brought into cultivation, and the Government would have been saved the necessity of importing wheat from foreign settlements at a prodigious expense ; a large proportion of the convict-population would have undergone a species of training in the service of Government, that would afterwards have rendered them useful servants to the free settlers, and disposed and fitted them for the peaceful pursuits of agriculture on the attainment of their freedom ; while those useless and expensive conservatories of vice and villany—the Government-farms and penal settle-

ments of the colony—that grew up under a different and impolitic system, would never have existed ; and the towns of the colony would have been assemblages of industrious citizens instead of grand nurseries of dissipation. Nay, if the colonial government had even employed a portion of the superabundant convict-labour of the colony in clearing small farms for emancipated convicts of good character, and retained possession of such farms till the expense of clearing them had been paid for from the produce of the soil, it would assuredly have been consulting the best interests of the colony, and promoting in a high degree the gradual reformation of its convict-population. In short, it was so much the interest and the duty of the colonial government to disperse the convicts over the territory, and to employ them as much as possible in the labours of the field, that, if a concentration of the convict-population had even been the result of circumstances unconnected with the measures of Government, the Government ought to have interposed in every possible way to effect their dispersion.

It has hitherto been the practice of the government of New South Wales to pursue the same uniform system of treatment in the case of all convicts arriving in the colony from the mother country, without regard to the various degrees of their previous criminality.\* The

\* There have been a few instances of atrocious criminals being forwarded at once to a penal settlement, on their arrival in the colony, in consequence of express orders to that effect from home ; and Sir Robert Peel, when Secretary of State for the Home Department, directed the *literary or educated* convicts to be sent to the penal settlement of Wel-



forger, the betrayer of trust, the highwayman, the thief, the pickpocket, the burglar, are all treated in precisely the same way as the Whiteboy from the bogs of Ireland, who has probably been sentenced to transportation under the provisions of the Irish Insurrection Acts. In short, there has never been any attempt in the colony to classify the convicts according to the various degrees of their transmarine criminality.

This has surely been a great error in the penal system of the colony, and its evil tendency has been apparent in three different ways. In the first place, it has tended to reduce to the same level in iniquity those whom the law had improperly visited with the same punishment, without regard to their respective demerits: in the second place, it has tended to blunt the moral sense of the prison-population of the colony, in regard to their power of discriminating between the lighter and the darker shades of criminality: and finally, by placing before the free portion of the community cases of individuals, whose punishment, when compared with that of other criminals of a more atrocious character, had apparently exceeded their criminality, it has given rise to a sort of morbid sympathy on the part of no inconsiderable portion of the colonial community,—a feeling, which regards the state of a convict as the result of misfortune rather than of misconduct.

The colonial government, however, has not been so much to blame in this matter as the reader may perhaps imagine: for if the criminal courts of the mother coun-

lington Valley in the interior. These however have been but rare exceptions to the general rule.

try have sentenced one individual to fourteen years' transportation, for a crime of much inferior enormity to that of another who has been sentenced only to transportation for seven years, it is not for the colonial government to attempt to remedy the acknowledged defects of the penal system of Great Britain, by ordering a new apportionment of punishment in New South Wales. The root of the evil is to be sought for in the penal code of the empire, the defects of which are great and obvious, and ought forthwith to be remedied. Besides, it very frequently happened in the earlier years of the colony, that no record of the convict's guilt was transmitted along with him to the land of his banishment. The convicts were landed from the transport-ship, like a herd of cattle, on the shores of Port Jackson,—one for seven years, another for fourteen, and a third for life; but the *why* and the *wherefore* they were so landed on these distant shores could be learned only by inspecting the records of the Old Bailey at the other extremity of the globe, or by searching the ponderous registers of Newgate and Kilmainham.

When a convict-ship arrives in Sydney harbour, it is the practice of the colonial government to reserve as many of the convicts, whether labourers or mechanics, as are required for the public service: \* the rest are assigned to persons who have previously transmitted

\* The public works in the colony, with the exception of roads and bridges, and other works of a similar kind, requiring mere labour and not mechanical skill, are now uniformly performed by contract,—very much to the benefit of the public. The convicts reserved by Government are consequently very few in number, comparatively, now.

duly attested applications for convict-servants, agreeably to a code of regulations recently established by the present Governor, and denominated the Assignment Regulations.\* One pound sterling is paid to Government for each convict so assigned, as the price of his bedding and slop-clothing, which he carries along with him to his future master's. If the master resides in Sydney, he is employed in the various menial capacities in which house-servants are employed in Europe: if he resides in the country, as is much more frequently the case, he is employed in tending sheep or cattle, or as a farm-servant.

The convict-servants on the different farms of the colony are usually lodged in huts formed of split-timber, and thatched with long grass or straw, at a little distance from the proprietor's house. Two of these huts, with a partition between them, form one erection; and each of them is inhabited by four men. A large fireplace is constructed at one end of the hut, where the men cook their provisions, and around which they assemble in the winter evenings, with a much greater appearance of comfort than the sentimentalist would imagine. Rations, consisting of ten and a half pounds of flour, seven pounds of beef or four and a half pounds of pork, with a certain proportion of tea, sugar, and tobacco, are distributed to each of them weekly; and they receive shoes and slop-clothing either twice a year, or whenever they require them. Pumpkins, potatoes, and other vegetables, they are allowed to cultivate for themselves.

\* Vide vol. i. Appendix, No. 9.

On my brother's farm at Hunter's River—and I believe a similar system is pursued on most of the large agricultural farms throughout the colony—the overseer rises at day-break, and rings a bell, which is affixed to a tree, as a signal for the men to proceed to their labour. The greater number follow the overseer to the particular agricultural operation which the season requires; the rest separate to their several employments, one to the plough, another to the garden, and a third to the dairy, while a fourth conducts the cattle to their pasture. The bell is again rung at eight o'clock, when the men assemble for breakfast, for which they are allowed one hour; they again return to their labour till one o'clock, when they have an hour for dinner, and they afterwards labour from two till sunset.

The condition of a convict in New South Wales depends greatly on the character of his master: it is in the power of the latter to render his yoke easy and his burden light; it is equally in his power, however, to make him superlatively miserable. In general, the lot of a convict in the colony is by no means a hard one: for the most part, he is better clothed, better fed, and better lodged, than three-fourths of the labouring agricultural population of Great Britain and Ireland; while, at the same time, his labour is beyond all comparison much less oppressive. In a great many instances, indeed, the object of the convict evidently is to get as much in the shape of allowances, and to do as little in the shape of hard labour, as possible.

The grand secret in the management of convict-servants is to treat them with kindness, and at the same



time with firmness ; to speak to them always in a conciliating manner, and at the same time to keep them constantly employed : and it is nothing less than absolute blindness to his own interest, and a want of common sense amounting to downright infatuation, that can lead any master to treat them otherwise. It must be acknowledged, however, that such infatuation has prevailed in New South Wales to a lamentable extent ; and has greatly retarded the advancement of the colony on the one hand, and occasioned much misery on the other.

A free emigrant settler, who has perhaps been riding about the country for a fortnight—neglecting his own affairs and troubling his neighbours—returns to his farm, and finds that his convict servants have been very idle during his absence : he talks to them on the subject, and his choler rises as he talks ; and he curses and swears at them as if he had taken his degree at Billingsgate, instead of being a free landed proprietor in His Majesty's colony of New South Wales. One of the convicts—a man who has perhaps seen better days—replies in no measured terms ; and the master immediately exclaims, with the highest indignation, “ You convict-scoundrel, do you speak to me at this rate ? ” and, taking the overseer to witness that the man has spoken insolently to his master, he forthwith hies both overseer and man to the nearest magistrate, who perhaps resides ten miles off, and gallops after them himself an hour or two afterwards. On arriving at the magistrate's, the settler, who is a remarkably good Protestant, kisses the book, and swears that the man

spoke to him insolently : the overseer, who is a stanch Roman Catholic, confirms his master's deposition by kissing the same book on the other side ; on which the worthy magistrate—who knows that the Bible was sent him for kissing and not for reading—has religiously pasted a bit of whity-brown paper, cut with a pair of scissors, in the form of a cross. When this *religious* ceremony has been gone through, the magistrate, assuming a very grave aspect, sentences the convict to receive twenty-five lashes for insolence to his master, and he is accordingly delivered over to the scourger of the district. In the mean time, the farm is deprived of the superintendence of the master, the exertions of the overseer, and the labour of the convict ; while the other convicts, disheartened and disgusted at the obvious injustice with which their fellow-labourer has been treated, do just as little as possible.

As soon the man who has been flogged is fit for labour, he is ordered to the plough ; but perceiving that a thick strong root crosses the furrow at a particular point, he contrives the next time the bullocks reach that point to run the plough right against the root and snap it asunder. “ You did it on purpose, you scoundrel ! ” says the infuriated settler, who has indeed good reason to be angry, for the season for ploughing is perhaps nearly over, and two or three days must elapse before the plough can be repaired, as there is probably no blacksmith within fifteen miles. The man, to whose corrupt nature revenge is so delicious that he does not deny the charge, but who is perhaps the best ploughman on the farm, is accordingly hied off immediately to

his worship again ; and, after the same pious ceremony of kissing the calf's-skin binding of the desecrated book, and the whity-brown-paper cross has been re-acted, is sentenced to "three months' hard labour on the roads, to be returned to his master at the expiration of that period."

The man returns accordingly at the expiration of his sentence ; but being addicted, as most convicts are, to the use of colonial tobacco, he allows a spark to fall from his tobacco-pipe, on his way to his labour, very near his master's largest wheat-stack, at a time when the latter happens to be off the farm ; and in less than a quarter of an hour after the stack is observed to be on fire. One would naturally suppose that in such a case of emergency, all the men on the farm would immediately run to extinguish the flames : such a supposition, however, would be very far from the truth. The convicts are so conscientious, forsooth, that they will not do any thing which their master has not particularly told them to do ; and he has never told them to extinguish the flames when any of his stacks should accidentally catch fire. Besides, they have a task assigned them, which they must not leave : in short, nothing gives them greater pleasure than to see their master's stack burning ; for they know he must give them the regular ration, procure it where he may, or send them back to Government, in which case they will have a chance of being assigned to a better master. By and by, the master returns at full gallop in time enough to see where his stack stood. He has reason to suspect that a conspiracy has been formed against him by his men ;

but to save him the trouble of bringing any of them to justice, four of them immediately *take to the bush*, i. e. become bush-rangers, or runaway convicts, subsisting on plunder. In a month or two after, two of them are apprehended for robbing a settler's cart on the highway, and tried, and convicted, and condemned to death; and the wretched men assure the minister who may happen to visit them in the jail or attend them on the scaffold—(I have received such information in such circumstances myself when it was too late to falsify)—that it was the arbitrary and unfeeling conduct of their master alone, that brought them to an untimely end.

I may be told, perhaps, that this is a supposititious case, and that all of these circumstances have not occurred in any single instance. It is immaterial, however, whether they have or not, as I can testify right well where and when they have all occurred singly.

“I have no doubt,” says Governor Macquarie, in a letter to Earl Bathurst, of date, London, 10th October, 1823, “that many convicts, who might have been rendered useful and good men, had they been treated with humane and reasonable control; have sunk into despondence by the unfeeling treatment of such masters; and that many of those wretched men, driven to acts of violence by harsh usage, and who by a contrary treatment might have been reformed, have betaken themselves to the woods, where they can only subsist by plunder, and have terminated their lives at the gallows.”

Some settlers think it necessary, forsooth, to humble their convict-servants, and to make them fear them. An



instance of this kind I have heard of in the colony with indignation and horror. A settler, requiring some office of a very disagreeable and offensive character to be performed on his premises, ordered one of his convict-servants to perform it, instead of adopting the much more efficacious mode of offering him a small reward on his doing it—a piece of tobacco, for instance, or a little wine. The man had perhaps seen better days, and therefore, feeling indignant at being set to such an employment, flatly refused. The master coolly ordered him off to a magistrate, who sentenced him to receive either twenty-five or fifty lashes for disobedience. The man returned to his master, who gave him the same order a second time; which the man a second time refused to obey: he was again taken before the magistrate, and sentenced to be flogged as before: and it was not till this degrading and brutalizing operation had been repeated a third time, that the spirit of the miserable convict was sufficiently broken to allow him to obey the mandate of his relentless tyrant.\*

That there are incorrigible characters whom neither kindness nor severity can overcome, I am quite willing to allow; but that kind and judicious treatment will render the great majority of convicts peaceable, industrious, and contented, is, I conceive, equally indubi-

\* Man is essentially a tyrant: it is education—I use the word in its widest sense—that makes him humane in any instance. Whatever arrangement of society, therefore, invests any man with such power over the person and happiness of his fellow-creature, as is possessed by the master of a convict or the holder of a slave, is essentially evil, and ought doubtless to be deprecated as indicative of an unhealthy state of the body politic.

table. One of the best-regulated farms, or rather estates in the colony, is that of Colonel Dumaresq, a brother-in-law of the late Governor Sir Ralph Darling, and lately a resident landholder on Upper Hunter's River. The law on Colonel Dumaresq's estate is the law of kindness; and incitements to industry and good conduct are rewards, and not punishments. The convict-labourers or farm-servants reside in white-washed cottages, each having a little garden in front; and prizes are regularly awarded to those who keep their cottages in the best order. Divine service is performed every Sabbath at twelve o'clock, agreeably to the forms of the Church of England; all the farm-servants being required to attend. The result of such a system is just what might be expected:—the men are sober, industrious, and contented.

On those farms or estates on which the convict-servants are treated with kindness, and at the same time with firmness, they will generally evince as much devotedness in their master's service on occasions of emergency, as is ever shown by free servants in the mother country. An alarming fire happened to break out on my brother's farm during one of the years of drought, which, communicating with the upper branches of a number of lofty forest-trees in the immediate vicinity of a range of farm-buildings, containing property to a considerable amount, threatened for thirty hours in succession to destroy both the buildings and the property they contained. The exertions of all the convict-servants on the farm to extinguish the flames were zealous and unremitted, and it was only through

these exertions that the property was saved ; one man having had the very jacket he wore half-burnt in the fire ; while another, for his equally laudable exertions, received a ticket of leave from the Governor, on being recommended for that indulgence by his master.

The influence of religion, I am sorry to acknowledge, is scarcely ever taken into account by the great majority of the settlers of the colony, in their procedure towards their convict-servants. Divine service is performed regularly every Sabbath by a few of the more respectable proprietors—in some cases according to the forms of the Church of England, in others according to those of the Church of Scotland—certainly, however, not in the proportion of one case out of every five, perhaps ten. Not a few of the settlers weigh out their servants' weekly rations and settle their farm-accounts on Sunday ; while in many instances the men are allowed to cultivate ground for themselves on the Sabbath, on the plea that they would probably be doing something worse if they were not so employed ; and no account is taken of the manner in which they spend the day ; no attempt is made to induce them to spend it in a way conducive to their spiritual welfare. In short, Sunday is the day appropriated by a large proportion of the settlers for paying and receiving visits, for dining any where but at home, and for attending to any thing but the concerns of religion. The influence of such procedure on the general morality of the territory, and its evident tendency to counteract the benevolent designs of His Majesty's Government for the reformation of the convict-population, may be easily conceived.

From the preceding details it will doubtless appear evident to the reader, that it is not only quite possible for a respectable family to live comfortably in the midst of a number of convict-servants, but that kind and judicious treatment will in all likelihood render even such servants obedient on the one hand, and highly profitable to their master on the other: for although there is nothing more common in the colony than to hear masters exclaiming against the idleness, and the insolence, and the discontentedness, and the villany of their convict-servants, I have seen enough to induce me to believe that the fault is not unfrequently on the other side. In fact, there are comparatively few masters in the colony who manage their convict-servants with the requisite discretion.

When a convict or prisoner (for that is the colonial phrase) becomes free, either by serving out the period of his sentence of transportation or by obtaining a pardon, he employs himself in the way in which he is most likely to succeed in the colony; and if an industrious man, the experience he has already gained in the country speedily enables him to find eligible employment. The only difference in this respect, between a person who has thus acquired his entire freedom and a ticket-of-leave holder, is, that the latter is confined to a particular district, and is liable to lose his ticket for various petty misdemeanours,—as for drunkenness or disorderly conduct,—which would not affect the standing of a free subject.

I had occasion to visit the settlement of Illawarra,



about seventy-five miles to the southward of Sydney, in the month of April, 1830. The journey being too long for a single day's ride, I had to spend a night by the way. The house of a magistrate of the territory, whose cordial hospitality I had repeatedly experienced on former visits to the interior, lay near my route ; but, choosing rather to confer than to receive a favour, I turned aside to the little cottage of a small settler, who I knew had arrived in the colony as a convict, though he had been free at the time I allude to for many years. The settler had originally been a Presbyterian from the north of Ireland : he had enlisted in a Scotch regiment quartered in the north of England, whither I understood he had gone as a petty dealer or hawker. Having committed some crime, however, of a minor character, he was sentenced to seven years' transportation. His wife, whom he had married in the colony on obtaining his freedom, was a native of the south of Scotland : her mother had died when she was very young ; and her father, who I understood had been a person of indifferent character, had married a second time, and left the children of his former wife to find their way through the world as they best could. I have reason to believe, however, that both husband and wife were not merely outwardly reformed, but really and sincerely penitent ; and from the gratification which my tarrying for the night under their roof afforded them, I could both perceive and feel, that when one has nothing else to give than that friendly countenance which the Word of God imperatively calls for, on behalf of those who are

turning from the error of their ways, there is nevertheless a deep and affecting meaning in the Scripture maxim, *It is more blessed to give than to receive.*

“I bought this farm,” the settler told me in the course of my visit, “the year I got my liberty: it’s a thirty-acre farm—very good land, Sir; and I was to pay a hundred pounds for it, for you know it was cleared but not stumped.\* The year I got it I only put in four acres of wheat, for it was rather late in the season. The wheat was very cheap that year; but the next year I put in fifteen acres with the hoe—all with my own hands—and I had as many bushels off it as there are days in the year.” (i. e. 365 bushels, or 24 $\frac{1}{3}$  bushels per acre.) “The wheat was very dear that season, and I sold a great part of my crop at 14s. 6d., but the cheapest I sold was half-a-guinea a bushel; and I cleared my farm that year. I lived in that hut you see till the debt was paid, and then I built this weather-boarded house. We have every thing comfortable now—plenty of wheat, corn, potatoes, and every thing else we require. Indeed, it’s a good country, Sir, for an industrious man. At home I would only have had a day’s labour and little for it, and perhaps not even that; but here I have a farm of my own, and every thing comfortable. I have much reason to be thankful that ever I came here, and I hope there’s forgiveness for what’s past.”

In short, the aspect of things about the settler’s little establishment justified the account he had given me

\* I. e. the roots of the trees were left standing in the ground.

both of it and of himself; and I was most happy to afford him such general commendation and such pastoral encouragement as his character and circumstances peculiarly called for. As I had two days' journey to perform on horseback, ere I could reach his little cottage on my return to Sydney, I gladly availed myself of his offer to supply me with a fresh horse, that my own might be in better spirits and condition on my return; and in riding rapidly along on the spirited Australian steed—the produce of sheer industry and economy—I could not help wishing, from the very bottom of my heart, that a hundred thousand families of the labouring agricultural population of Great Britain and Ireland could be gradually conveyed to a country in which the same industry and economy would infallibly lead them to the same degree of comfort and independence.

On my first journey over-land to Hunter's River, in the year 1827, my guide and fellow-traveller proposed to halt for an hour, to procure some refreshment for ourselves and our horses, at the house of a small settler whom he knew about twenty-five miles from Sydney. I assented, of course; for it was then high noon, and we had as much farther to ride ere we could reach our resting-place for the night. While the settler and my fellow traveller were attending to the horses, I stepped into the cottage or hut, which was a tolerably good log-hut, formed of split timber and covered with thatch; and while water was boiling to make tea for our refreshment—for in *the bush*, or uncultivated country, in New South Wales, tea is the universal beverage, and is

drunk at all times and by all sorts of persons—I got into conversation with the settler's wife, who was nursing an interesting little child, and who willingly gave me a history of her family.

She was a native of the colony: her parents had arrived (of course as convicts) in the first or second fleet during the government of Captain Phillip. On acquiring their freedom, and probably on their marriage, they had got a small grant of land at Toon-gabbe, the first agricultural settlement in the territory: on this land they continued to live—cultivating the ground, and rearing poultry, pigs, and cattle—till by industry and good management they had acquired several other small farms, and till their stock of cattle had increased to a considerable herd. In the mean time they had reared a family of seven or eight children; all of whom had arrived at manhood, and most of whom were married and settled throughout the territory: for as any native of the colony of good character could easily obtain a small grant of land from Government at the time I allude to, a young man, whose parents had trained him to industrious habits, and given him a few pigs and cattle to begin with, had only to go forth with his axe and hoe into the forest, to make himself comfortable and independent for life.

The settler entered the hut just as his wife had related these particulars; and as the latter had to be otherwise engaged, in making the requisite preparations for our homely refreshment, I easily induced him to give me his *Personal Narrative* also: for persons in the lower walks of life, who have done tolerably well in the



world, are seldom backward in relating the successive steps that have led them to their ultimate prosperity. He had been bred a cobbler, and been transported for seven years from the city of York. Being an industrious man, he had been enabled to earn a little money ere he had accomplished his term of penal servitude, by making or mending shoes on his own time for the small settlers in the neighbourhood of the place in which he had been assigned as a convict-servant. With this money, and a little more which he had saved from his earnings after he obtained his freedom, he had purchased the farm on which he then resided : it was a hundred-acre farm, and was entirely covered with timber at the time he bought it : it had cost him in this state £58. 10s. In the mean time he had married *that there woman* ; at which announcement his affectionate spouse laughed heartily, with an expression of countenance, moreover, which indicated that she had no reason to regret the event.

Some time after the cobbler had purchased the hundred-acre farm, he ascertained that the new line of road to Hunter's River would run along the side of it. This immediately enhanced its value a hundred per cent ; and he was accordingly offered double the price he had paid for it ere he had cut down a single tree : he wisely however preferred retaining it in his own hands, and had accordingly been living on it at the time I refer to about two years. He had got a considerable part of it cleared and fenced during that interval, and had a field of wheat of several acres of extent, and another of maize, besides a plot of potatoes and vegetables, and had even pur-

chased another hundred-acre farm in the immediate neighbourhood. I presume his wife had brought him a few cattle and pigs as her dowry : these had increased to a considerable herd ; and two of their children (for they had four in all—three boys and a girl) were out with them in the bush,\* or forest,—one with the pigs, and the other with the cattle. The settler told me he had a mare also, which he afterwards showed me with no small degree of self-complacency as I was mounting my horse. I commended his industry and economy in the strongest terms, and was thereby enabled to procure his favourable attention to recommendations and advice of a different description.

It is unnecessary to direct the reader's attention to the bearing of this case, as well as of the others previously detailed, on the highly interesting and important question as to the propriety or impropriety of continuing transportation as a species of punishment for felony. Had the Toongabbee settlers been sent to serve out their term of transportation in the Hulks, or in a Penitentiary in England, they would in all likelihood have returned to their former haunts at the expiration of their period of sentence, to prowl upon society as before ; and the one would in all likelihood have rotted in jail, and the other have died on the scaffold. They were transported however to a penal colony, and were there transformed into industrious and reputable citizens—acquiring property both in land and cattle by their own

\* The word *bush*, which sometimes signifies the country in general, but more properly the uncleared part of it, is merely the Dutch word *bosch*, signifying wood or forest.

good conduct, and rearing a numerous family of children; each of whom, on attaining man's estate, goes forth with his axe into the vast forest to extend the limits of civilization, and to fill the wilderness and the solitary place with the habitations of men. In like manner, had the York cobbler been sentenced to serve out his seven years of transportation in the Hulks or in a Penitentiary at home, he would probably have returned to his native city, to look for employment on obtaining his freedom: but he would there have found, to his cost, that he had irretrievably lost caste in society, and that no respectable master would employ a liberated felon: he would thus have sunk in his own estimation. He would therefore in all likelihood have returned perforce to his former courses, and he would perhaps have cost the Government in the end much more to try and to hang him, than it actually did to transport him. In the penal colony of New South Wales he has become a reputable member of society, and an independent proprietor of land and horses and cattle,—the husband of a virtuous wife, and the father of four interesting children.

With the knowledge of such facts as these, one cannot help feeling somewhat surprised at the confidence with which sweeping assertions like the following are hazarded in England. In allusion to the various descriptions of punishment either in practice or in contemplation, Archbishop Whately observes, “It has been decidedly proved that transportation is *worst of all*, and open to more objections than any that has been or can be proposed, or conceived as a substitute.” And again,

“The removal of criminals to our Australian colonies was an experiment, whose failure, though not anticipated to the extent that should have been expected, has in some degree been forced by experience upon the minds of most.”

“The transportation of felons,” observes Archbishop Whately, “is an experiment whose failure has been decidedly proved.” Now I ask whether any man, after perusing the preceding sketches of the history of New South Wales, can say that that experiment has ever yet been fairly or properly tried? The fact of the matter is simply this: for a long period after the colony of New South Wales was originally established, and during the most important period of the past existence of that colony as a penal and experimental settlement, the attention of the British Government was entirely absorbed by the overwhelming concerns of *a just and necessary war*, which, however it may have eventually increased the glory of the nation in the estimation of fools, has only served, in the estimation of every rational and Christian man, to demoralize the nation, and fearfully to increase the amount of the national misery and crime. Meanwhile the entire management of the noblest experiment that was ever made by any civilized nation since the foundation of the world—I mean the experiment of a penal colony on a great scale—was recklessly entrusted to mere chance, to ignorance, to incapacity, to the full play and the uncontrolled operation of the worst passions that disgrace humanity. And is it in such circumstances that we are to be coolly told by His Grace of Dublin, sitting



in his study sixteen thousand miles from the scene of action, that the experiment has decidedly proved a failure ?

Instead of investing a naval or military officer with the multifarious and often incompatible powers that were most injudiciously combined in the person of the Governor of New South Wales, from the first establishment of the colony, had the British Government appointed a council of seven members,—consisting of men of experience in the management of criminals, men of general intelligence, of decision of character, and of approved philanthropy, —entrusting to that council the administration of the whole affairs of the colony, giving them a strong and efficient police for their support, and placing the officer in command of the troops required for the protection of the settlement entirely under their control,—the important experiment involved in the establishment of the colony of New South Wales would have received a fair trial ; and its issue, I am confident, would have been entirely satisfactory ; the reformation of the convicts would have been general, rapid, and progressive ; and thousands, and tens of thousands, and hundreds of thousands of British money, which, to say the very least, were lavishly and unprofitably expended under the system actually pursued, would have been saved to the nation. It is only after an experiment conducted in some such way as this—I mean in a way somewhat accordant with right reason and common sense—shall have been made and eventually proved a failure, that I shall ever be induced to subscribe to the sentiments of

the Irish Archbishop ; for, of all species of punishment, I am persuaded that, under a proper system of management, transportation would be found to combine, in the highest degree, all the four requisites which the Archbishop himself most wisely establishes, in being *humane, corrective, cheap, and formidable.*

I am quite willing to admit, that the transportation system, as it has hitherto been administered in New South Wales, has in great measure proved a failure ; but I maintain, without fear of contradiction, that that failure has not arisen from any thing inherent in the transportation system itself, but has rather been the natural and necessary result of a state of things which ought never to have existed in the Australian colonies, and from which no other result could possibly have been anticipated by any reasonable man. As I have entered into this subject very fully, however, in another work recently published, I shall not go over the same ground again, but shall merely refer the reader to that publication.\*

The system pursued in the colony, in regard to the distribution and assignment of female convicts, is somewhat similar to the one I have already described in regard to the other sex. When a female convict-ship arrives in the harbour, the circumstance is duly announced in the Government Gazette, and families requiring female servants are invited to make application according to a prescribed form. The applications are

\* "Transportation and Colonization ; or, The Causes of the Comparative Failure of the Transportation System in the Australian Colonies : with Suggestions for ensuring its future efficiency in subserviency to extensive colonization."

generally more numerous than the Government can meet, and the females are assigned only to reputable families, according to the best judgment of the Board appointed for the purpose. Many of them make good servants, and in due time get well married—chiefly to emancipated convicts, living either as agriculturists in the country, or in one or other of the various capacities in which the humbler classes of society are employed in towns; the colonial government being always willing to grant permission for the marriage of a female convict, provided she is either a spinster or a widow, and provided also that the intended husband is a freeman, and able to maintain a family.

It sometimes *unfortunately* happens, however, that the female convict, who has an opportunity of forming an eligible connexion in this way, and thereby acquiring her liberty forthwith, has a husband alive in England, or has been *imprudent* enough to declare herself married on her arrival in the colony, under the idea that *she will be more respected*, forsooth, (for that is the usual account of the matter,) as a married woman. In such cases, it becomes a matter of importance to prove either the death or the nonentity of the English husband, and the expedients that are resorted to with this view are often highly ingenious. About ten years ago, I solemnized a marriage between a reputable young man, a native of the colony, and a female convict who had been transported from Paisley, in the west of Scotland, for some malpractices in a manufacturing establishment in which she had been employed. The young man was a carpenter, and it seemed his Scotch wife turned out so much to his satisfaction, that

his brother was induced to think seriously of espousing another Scotch female convict who had arrived by the same vessel from the same part of Scotland. The brother's intended was the assigned servant of a respectable Scotch family residing near Sydney, and was naturally enough desirous of being *on her own hands*, as the wife of a free mechanic who could earn from thirty shillings to two pounds sterling a week ; but she had a husband in Paisley, and how to get him disposed of was the difficulty, for she had duly informed the Government of her being a married woman on her arrival in the colony. The difficulty, however, was not too great to be surmounted—at least the parties thought so ; and a letter was accordingly written, purporting to have come from some relative of the female in Paisley, and communicating the *distressing* intelligence of the Scotch husband's death. The letter was brought me for my perusal by the two brothers, with a view to my soliciting permission from Government (which must uniformly be obtained in the first instance by some clergyman of the territory, in the case of either party being a convict,) for the publication of banns. I observed to the young men, before reading the letter, that it had no post-mark ; but they readily explained that circumstance, by informing me that it had been brought out by the Scotch carpenter of a convict-ship lately arrived, who knew the parties ; and indeed the exterior of it bore the appearance of its having been for months in a carpenter's tool-chest, or in some situation in which it would have been equally soiled. The letter was dated sufficiently far back for the accom-



plishment of a voyage to New South Wales in the interval, and was written with great ingenuity. It communicated a variety of particulars relative to persons and events in the town of Paisley, which in any ordinary case would have given it the character of a genuine letter : there were even a few incidental notices respecting one of the ministers of Paisley, which were exceedingly well conceived for the purpose of practising on clerical gullibility. Unfortunately, however, in lamenting, towards the close of the letter, that the female convict to whom it was addressed was destined to spend the remainder of her days in so distant a part of the earth, the letter-writer had written the word *earth* in the cockney-style—*hearth*. It immediately struck me that this peculiarly *English* species of bad spelling could not have occurred so far north as the town of Paisley, where the vowel sound commencing a word is never aspirated ; and I therefore returned the letter to the young men, telling them that I was persuaded it had been written in the colony, and that no such marriage as they contemplated would be allowed by the Government. A few weeks afterwards, the woman absconded from her master's service, and was married to the currency lad by an episcopal clergyman in the interior, as a free woman : as her flight, however, was immediately reported to the authorities, she was traced, apprehended, and sent to the third class in the factory—the place of punishment for female convicts—the marriage being held null and void.

Many of the female convicts conduct themselves in an unexceptionable manner, and rear large families

of interesting and promising children, when reputably married in the colony ; for it is not an unusual case for a woman, who has been exceedingly depraved and absolutely unmanageable in a single state, to conduct herself with propriety when advantageously married. Others, however, are indifferent enough in either condition, and when assigned as servants to respectable families, are got rid of and returned to Government with all convenient speed. But the fault is by no means uniformly on the side of the convict. A remark—which I recollect having heard the eccentric, but truly apostolic, Rowland Hill make at a public meeting of the friends of a Female Penitentiary Society in London many years ago—is unfortunately too well suited to the meridian of New South Wales : “ Mistresses are always complaining,” said the venerable old man, “ of their having bad servants ; but I will tell you what, ladies ; there are a great many bad mistresses too.”

There are instances of persons of the industrious classes of society, who have arrived free in the colony, marrying female convicts, and having no reason subsequently to regret the step they have taken : the experiment, however, is a dangerous one, and is sometimes attended with a different result. About ten years ago, a reputable Scotch mechanic, who was able shortly after his arrival in the colony to take jobs on his own account, was infatuated enough to marry a female convict of prepossessing appearance, but unfortunately of little else to recommend her. Previous to his marriage, he had been regular in his attendance on the ordinances of religion ; but his wife had various

other more eligible modes of spending the Sabbath than going to church, and he had accordingly to accompany her on Sunday excursions of pleasure to the country. Unfortunately, however, his wife very soon got *into trouble*, as it is technically termed in the colony; i. e. into the commission of some crime or misdemeanour, which issues in the individual's flagellation, or imprisonment, or transportation, or death by the law—for the phrase is sufficiently extensive in its signification:—she had been concerned in a riot, which two free persons lodging in her husband's cottage had raised during his absence, and was immediately carried by the constables before the police magistrate of Sydney, who decides in a summary way in all cases in which convicts, whether married or not, are concerned. The offender was in this instance sentenced to three months' confinement, in the third or lowest class in the factory at Parramatta. One of the rules of that institution is, that no female shall be *admitted* into the third class without having previously undergone the operation of shaving the head; and the poor husband was so much distressed at the sorry appearance which he thought his wife would exhibit, when divested of her hair, that he actually called at my house to request that I would forward a petition which he had prepared to the authorities, that the operation might for once be dispensed with in his wife's favour. During the conversation that took place on the occasion, I took an opportunity to remind the Scotchman of his recent neglect of the ordinances of religion, and I accordingly saw him in church for a few Sabbaths after: his

wife, however, returned to him again at the expiration of her sentence, and I saw him no more.

When female convicts are returned to Government by the families to which they have been assigned, or are sentenced to punishment by the magistrates for petty misdemeanours, they are forwarded in a covered waggon to a sort of Bridewell at Parramatta, called *the Female Factory*, in which there are generally from two to five hundred female convicts, under the charge of a matron and the superintendence of a committee of management.\* They are divided into three classes. *The First Class* consists of those who from particular circumstances have not been assigned as maid-servants to private families on their arrival in the colony, or of those who have been returned to Government by their masters without having any crime charged against them, or of those whose good conduct has merited their elevation from the inferior classes. All the females of this class are assigned as maid-servants, on being applied for by reputable persons, in the same way as on the arrival of a female convict-ship; the state of the Factory being announced weekly for the information of the public in the Government Gazette. *The Third Class* consists of incorrigible females, or of those who have been sentenced to a certain period of penal con-

\* The Female Factory at Parramatta has, for several years past, been under most exceptionable management; insomuch as to have proved an absolute nuisance to the colony, and a fruitful source of demoralization. I am happy, however, to find by the last accounts from the colony, that it has at length been subjected to the salutary process of purgation; certain dismissals, which were long and loudly called for, having recently taken place. It will now, in all likelihood, be a very efficient establishment.



finement in the Factory on account of some misdemeanour; and *the Second Class* consists of those who have served out their period of sentence in the *Third*, and who are undergoing probation ere they are again advanced to the *First*. The inmates of the Factory are employed variously, according to their characters and stations in the establishment, but chiefly in the processes connected with the manufacture of a coarse woollen cloth, called *Parramatta cloth*, of which blankets and slop-clothing are made for the convict servants of settlers throughout the territory.

With a view to disperse the female convicts more widely over the territory, and to enable respectable families in the interior to procure female servants with greater facility, the present Governor has established subordinate factories at Bathurst and Hunter's River, to which a proportion of the female convicts from each ship are forwarded on their arrival, and in which those that have been returned to Government by their masters are kept for re-assignment in the district; and I am happy to add, that the measure has been attended with general benefit. Indeed, the system pursued for a long time previous, in regard to that portion of the prison population of the colony, was obviously and outrageously preposterous: for, instead of adopting every possible means to effect the dispersion of the female convicts, that they might at least have some chance of getting reputably settled, and even winking at pettier peccadilloes for the accomplishment of so important an object; they were generally immured, to the number of five or six hun-

dred, within stone walls and iron gates. The impolicy of such a system will appear from the following consideration, in addition to various others that will naturally suggest themselves to the reader; viz. that there are frequent instances in the colony, as I have already had occasion to observe, of females who had been absolutely unmanageable when imprisoned in the Factory, subsequently becoming remarkably quiet and well-behaved wives and mothers of children.

There are comparatively few instances of female convicts committing capital offences in New South Wales: an instance of the kind, however, happened to fall under my own observation several years ago, in the following rather singular way. I was proceeding alone in a gig one Monday morning to solemnize a marriage at a considerable distance in the interior, when a young man, decently attired in the garb of a sailor or ship-carpenter, requested to know whether I was some other person whom he named. There was a feeling of distress portrayed in the young man's countenance, that induced me to ask him some question, that immediately elicited his affecting story. He had arrived in the colony a few months before, as the carpenter of a convict-ship; and, finding that he could obtain eligible employment in Sydney, had obtained his discharge from the vessel, and remained on shore. On the Saturday evening previous, he was sitting in his lodging, after having finished his week's labour, when some person, entering the house, incidentally mentioned that he had just been at the Supreme Court, and had heard sentence of death pronounced on a man and woman for

robbing their master, a respectable settler, residing about forty miles from Sydney. The name of the woman, which the stranger also mentioned at the time, coinciding with that of a sister of his own, who had suddenly disappeared from her father's house in London about two or three years before, and had never afterwards been heard of by her relatives, it immediately struck him that the woman might possibly be his lost sister: he accordingly went forthwith to the jail; and, having obtained admittance, found to his inexpressible grief that the woman under sentence of death was actually his own sister. His parents, he told me, were poor but honest people, who had reared a large family of eight or nine children, and she was the only one of the number who had gone astray. On consulting some person as to what was proper for him to do in such circumstances, he was told to get a memorial to the Governor drawn up on his sister's behalf, and to have it recommended, if possible, by her master: he, therefore, went forthwith to a person in Sydney who wrote memorials for hire, and got a document of the kind drawn up. The writer was an emancipated convict, and the memorial was written in the usual style of such writers—taking for granted, as a matter of course, and strongly protesting, the innocence of the criminal, and insinuating that her present situation was the result of misfortune rather than of misconduct. It was eleven o'clock at night, before the precious document, which cost, if I recollect aright, two dollars, was finished; but, as soon as it was completed, the young man, who had never been a mile out of Sydney before, instantly set

off alone and on foot through the gloomy forest to the residence of his sister's late master, to request him to recommend the memorial. He had reached his destination, and had got about half-way to Sydney on his return, when I met him on the following Monday morning. On reading the memorial, I was apprehensive it would rather do harm than good, and therefore desired the young man to accompany me to a house a little way on, where we could obtain materials for writing, and where I should write something, which I had reason to hope would be of more service to him. The young man gladly accepted my offer; and I accordingly wrote a short account of the manner in which he had discovered his sister, and the anxiety he had manifested on her behalf; soliciting, that if the ends of justice could possibly be attained by a milder punishment, the feelings of the community might not be outraged by the execution of a female, who had probably been herself the unhappy victim of some unprincipled seducer. The young man was extremely grateful for the little service done him, and I was happy to learn afterwards that his unfortunate sister's sentence of death was commuted into a milder punishment.

Convicts who have been guilty of crimes and misdemeanours in the colony are subjected to various sorts of punishment, according to the real or supposed enormity of their respective offences: these punishments are *flagellation, the tread-mill, hard labour in irons on the roads, transportation to a penal settlement, and death*. Of these, the first two are awarded by a Bench of Magistrates; the third and fourth by the Court of



Quarter-Sessions ; and the fourth and fifth by the Criminal or Supreme Court. In regard to the first of these species of punishment, viz. flagellation, it is generally allowed that its tendency is to degrade, to brutalize, and to harden the individual ; and it cannot be denied that it is often resorted to in the colony at the instance of masters, when milder treatment would be much more efficacious. His Excellency, the present Governor of New South Wales, seems to have been of this opinion ; for in a colonial enactment, to which I have already alluded at considerable length, he has considerably restrained the power of the inferior judicatories, in regard to the infliction of that punishment. The second and third species of punishment I have enumerated are unexceptionable in their character ; and they have this in particular to recommend them, that their infliction is directly conducive to the benefit of the community ; the tread-mill being employed to grind corn, while the labour of the road-gangs opens up new, or improves existing lines of communication with the distant interior. There are strong objections, however, to the frequent recourse that has hitherto been had to the fourth species of punishment above-mentioned, viz. *transportation to penal settlements* ; and the same objections that are urged in the mother country to the punishment of death, except for murder and for certain other crimes of peculiar enormity, apply with undiminished, if not with increased force, to the case of New South Wales.

There are three objections to the system of transportation to penal settlements, which has hitherto pre-

vailed in New South Wales, which I conceive the Colonial Legislature, or rather the British Government, which bears the whole expense of these establishments, would do well to consider. In the first place, the penal settlements are enormously expensive : in the second place, they are productive of little or no benefit to the colony : in the third place, they are almost entirely unnecessary.

During the government of Major-General Macquarie and Sir Thomas Brisbane, there were penal settlements, either simultaneously or in succession, at Emu Plains, on the Nepean River, at the eastern base of the Blue Mountains ; at Wellington Valley, on the Macquarie River, about eighty miles beyond Bathurst, in the western interior ; at Newcastle, at the mouth of Hunter's River ; at Port Macquarie, at the mouth of the River Hastings ; at Moreton Bay, at the mouth of the Brisbane River ; and at Norfolk Island ; the last three having been formed, and the one at Newcastle discontinued, during the government of Sir Thomas Brisbane. The convicts at these settlements were employed in erecting buildings, such as barracks for soldiers, convict-barracks, jails, lumber-yards, hospitals, houses for the various officers attached to the respective establishments, &c. &c., and in clearing, fencing, and cultivating land. All these operations were carried on at a prodigious expense to the British Government ; but as that expense was included under the general head of the "Expense of the Convict Establishments of the Colony," the whole of which is borne by the mother country ; it would be difficult, as it is otherwise unnecessary, to estimate the

cost of each particular settlement. In process of time, however, when the influx of free emigrants and the demand for convict-labour occasioned the breaking up, first of one and then of another, of these penal settlements, it was found, that the buildings, which had cost so much in the erection, were for the most part of no use whatever to the colony, and were consequently suffered to go to ruin or sold for the merest trifle ; and that hundreds and thousands of convicts had thus been in reality occupied laboriously for years together—doing absolutely nothing. At Newcastle, for instance, there were large commodious buildings erected, during the government of Major-General Macquarie, of all the different descriptions I have just enumerated : but when Hunter's River was thrown open to free emigration during the government of Sir Thomas Brisbane, and the convicts removed to Port Macquarie, it was found that, as there was not a single acre of land near Newcastle worth the trouble and expense of cultivating, the proper site for a town for the district was at the head of the navigation of the river, at a distance of twenty miles from the actual place of settlement. Newcastle, therefore, became *a deserted village* ; property in it was not worth the having ; and several of the Government buildings consequently fell into a state of gradual dilapidation. As it was necessary, however, to maintain a Government establishment in the district for the general welfare of the population, it was still stationed at Newcastle, on account of the buildings already erected in that locality—to the great inconvenience and annoyance of the settlers, who were thus compelled, for

instance, to carry every sick convict they required to send to the district hospital, twenty miles farther than the station at which such a building ought to have been erected. At Emu Plains also, various Government buildings were erected, though not to the same extent, which eventually proved equally unserviceable; and though a considerable extent of land was cleared, fenced, and cultivated at that settlement, it cannot be doubted, that every acre so cleared and cultivated cost the Government double, triple, or quadruple the sum it will ever realize.

The establishment, growth, and magnitude of the penal settlements, in the formation of which so much valuable labour was thus lost to the colony, and so much British money absolutely thrown away, were attributable chiefly to the impolitic system pursued by Governor Macquarie, and to the check which was given during his government to free emigration. It remains to be inquired, how far such settlements are necessary—whether they might not be dispensed with in great measure with much benefit to the colony—and, supposing that they ought to be retained to a certain extent, what purpose the formation of a penal settlement ought to serve in the New South Wales colonial system?

I do not suppose that it would either be practicable or expedient to dispense with penal settlements altogether. There are incorrigible offenders who must be thrust out of society, as well for their own benefit as for that of the public, and whose pestilential influence would corrupt and debase even an iron-gang. For the



confinement and punishment, if not for the reformation, of such offenders, the penal settlement of Norfolk Island is admirably adapted, as it presents no possibility of escape to the criminal. It would be proper, therefore, I conceive, to retain that dependency as a permanent penal settlement, in which the atrocious criminal might receive his bitter portion of hopeless exile and hard labour for life, and in which the criminal of a lighter shade of guilt might be put to his probation for a longer or shorter period, according to the degree of his criminality. In regard, however, to the majority of the convicts who are now sent under colonial sentences of transportation to Norfolk Island, and to the other penal settlement of Moreton Bay—I am confident I express the opinion of every person of intelligence of the class of free settlers in New South Wales, when I state my own—that the ends of justice could be equally attained by subjecting them to hard labour in irons on the roads and bridges of the settled parts of the colony, under the vigilant superintendence of an efficient police; the degree of restraint being proportioned to the degree of criminality, and the convicts who had been found guilty of more serious offences being stationed in the more distant and wilder parts of the territory. By this arrangement, the labour of the majority of the convicts, now for the most part unprofitably employed at penal settlements, would be expended usefully for the colony, while the mother country would be entirely relieved of the cost of their maintenance. Their safe custody could, with proper precautions, be secured in the one case as effectually as in the other, while the punish-

ment could with the utmost facility be rendered equally severe.\*

The useful purpose which penal settlements ought to serve in the New South Wales colonial system, independently of the means they afford of subjecting incorrigible offenders to a comparatively severe system of penal discipline, is to prepare the way for the successive formation of a series of free settlements throughout the territory. This purpose, however, could undoubtedly be served without any such waste of money and labour as has hitherto occurred at the penal settlements formed on Governor Macquarie's principle; for I see no reason whatever, why every tree that is cut down, and every stone or brick that is laid upon another, at the expense of Government, in any part of the territory, should not contribute to the permanent prosperity and progressive advancement of the colony, as well as such operations uniformly do when carried on by private individuals acting for their own private advantage. In the event, therefore, of a certain amount of convict-labour being disposable for the purpose of forming a penal settlement in a part of the territory previously unoccupied, let it be kept steadily in view, that the object of that settlement is merely to prepare the way for the formation of a free settlement, and that all the operations to be performed by the convicts are to be of such a kind

\* The huts of the road-gangs at every encampment could be enclosed within a strong stockade, for the construction of which there are materials in abundance in all parts of the territory; while the superintendent and the officer of the guard could be lodged in comfortable frame-houses, that could be taken asunder and removed on the backs of pack-bullocks, and set up again at the next encampment.

only, as shall most effectually facilitate the accomplishment of that object. With this view let an accurate survey of the locality intended for the new settlement be made in the first instance, and its capabilities, in regard to soil and to available means of communication, be fully ascertained. Let a site for a future town be fixed on, and a plan of it drawn; and let such buildings as may be permanently required for Government purposes, after its discontinuance as a penal settlement, be erected in suitable situations. Let roads be formed in every proper direction, and a large extent of land cleared for future cultivation: and when these operations shall have been duly performed, let the whole establishment be removed to another locality, and the township and district thrown open for the settlement of free persons, whether emigrants or emancipists; those convicts who have fulfilled their term of banishment, or have otherwise merited such an indulgence, being allowed to remain. In this way penal settlements would form the vanguard of civilization in the colony; they would prepare the way for its progressive and rapid advancement; and they would render the circumstances of free persons occupying newly opened settlements much more comfortable than they can possibly be under the present system.

Had the penal settlement of Newcastle been conducted on this principle, and had the labour of the numerous convicts, who were so unprofitably employed at that settlement for years together, been expended in clearing land, and in forming roads for the free settlers to whom the land was afterwards to be surrendered, the

result, in regard to the circumstances and condition of the earlier settlers at Hunter's River, and the general prosperity of that important district, would have been very different from what it actually was. Nay, the Government might even have been repaid by the settlers the whole expense incurred in the clearing of the land.

Were an extensive emigration of reputable free agricultural labourers, with their wives and children, to take place from the mother country to New South Wales, penal settlements might in every instance be converted, in the way I have just mentioned, into flourishing agricultural free settlements almost instantaneously. The land might be divided for this purpose into small farms, varying in extent from twenty to a hundred acres, according to the nature of the soil; a certain number of acres being cleared and fenced by Government on each farm, and a log-house of the simplest construction erected for the accommodation of a family. Each of these farms might be let by the Government, on the opening of the settlement, at a rental payable in grain at the nearest commissariat store; the tenant having it in his power to purchase the farm at a certain price and within a certain period by instalments. In this way also, numerous emancipated convicts and ticket-of-leave holders, of reputable character, might be advantageously settled in the out-stations of the colony, where they would be removed from the influence of strong temptations, and be encouraged to propriety of conduct by the good example of a virtuous population. In short, an extensive emigration of the



kind I have described is absolutely necessary to ensure the proper working of the penal system, as well as the moral health and welfare of the colonial community.

In regard to the infliction of the punishment of death, except for murder and for certain other crimes of peculiar enormity, it is generally acknowledged that the penal code of Great Britain is still both sanguinary and inefficient. The excellence of the criminal code of any country consists in the due apportionment of punishments to offences; and the excellence of the judicial system of any country consists in making the punishments so apportioned uniformly follow the crimes to which they have been awarded. It argues a lamentable imperfection in the state of the law, and exceedingly impedes the course of justice, for the royal prerogative of mercy to be systematically resorted to, to correct the real or supposed severity of the former, and to render the latter accordant with right reason and the better feelings of enlightened humanity. Much rather let such punishments be decreed in the first instance, as the judges will award and the executive inflict. In short, it intimately concerns the interests of morality throughout the British empire, to effect a speedy and complete change in so anomalous a system.

The punishment of death has little or no influence in the colony in deterring from the commission of crime; for it is not inflicted in the great majority of cases in which the sentence has been actually passed. Besides, the criminal has every advantage in New South Wales, from the frequency of perjury, and from the prevalence of that foul system of legal chicanery, which regards

the screening of the most consummate villain from the punishment he has merited, as an achievement equally honourable and equally meritorious with the deliverance of innocence itself from the gibbet or the stake. But when the punishment of death is actually inflicted, as it is not unfrequently for crimes of much inferior enormity to that of murder, it has just as little influence on the prison-population in general, as the prospect of it has actually had on the criminal. In fact, the criminal is regarded by those whom the spectacle of his punishment is supposed likely to influence, merely as an unsuccessful speculator in the grand lottery of the law, who has staked his last dollar and drawn a halter : he is sympathized with accordingly by his old companions, who assemble in great numbers to see how he dies ; and who are doubtless encouraged from the profanation of the services of religion, that not unfrequently takes place on such occasions, to believe that if it should come to the worst with themselves also, a little timely intercourse with a minister of religion, and especially with a Roman Catholic priest, will settle all accounts, and make them happy at last. Nay, the dead body of the criminal is perhaps carried to the house of some relative or acquaintance after the executioner has done his duty, where it is *waked over* with all due formality, and where the particulars of his last mishap are circumstantially related by a crowd of visitors ; the proper degree of censure being dealt out on the lawyer who conducted the defence, for not acting his part as he usually does on such occasions ; and poor Paddy or Joe or Dan, who of course is pronounced *happy now*, is

at length followed to the grave by a numerous train of mourners. In one case of this kind, in consequence of having visited the criminal in the jail previous to his execution, I was waited on by a deputation of his friends to *read prayers*, forsooth, over his carcase in the burying-ground of Sydney, that he might be *earthed over* with some degree of *éclat*.

The uniformly demoralizing character of such scenes, and the withering and blasting influence of the feelings they awaken, might surely teach the legislature of Great Britain the propriety of limiting the punishment of death to the crime of murder, and to those other enormous offences which all Christian nations have agreed to visit with the last punishment of the law. In witnessing such scenes as those I allude to, I have been irresistibly impressed with an idea, which my own experience of the miserable perverseness of human nature has induced me to believe neither unreasonable nor unfounded; viz. that there are individuals who would actually be incited to crime by the prospect of such a death and such a burial. Better surely that the system of Venice—revolting as it seems to Britons—should be revived, than that such a system should be continued; that the criminal should be conducted at midnight over the Bridge of Sighs, and the work of death performed by torchlight and in solemn silence, in the presence of no other witness than the jailer and the sheriff!

Besides, it has happened in New South Wales, as it has done repeatedly in the mother country, that the innocent have suffered the last punishment of the law, while the guilty have escaped. In the earlier times of

the colony, a private of marines, who had settled on the Hawkesbury and was known to have accumulated considerable property, announced his intention speedily to return to England : just as he was ready, however, to pack up and be off, his cottage was attacked at midnight by armed ruffians, and in the scuffle that ensued he was mortally wounded : his house was then rifled, and a quantity of property carried off. Property of the description stolen being subsequently found in the house of two men residing at Windsor, about twelve miles farther up the river, suspicion was immediately awakened, and the men were of course apprehended, and charged with the robbery and murder. The property that was identified was a quantity of tea, with which a number of nails of a particular kind were found mixed ; the marine's wife having testified in the course of the trial that a number of nails of that kind had accidentally fallen into their box of tea. The widow having sworn, moreover, to one of the men as the person who fired at her husband, they were both found guilty, and condemned to death. The men acknowledged that they had gone down the river in a boat on the night of the robbery, with an intention to rob the marine's house, but not to commit murder : on arriving at the spot, however, they found they had been anticipated ; another party of desperadoes being actually engaged at the moment in robbing the house. In these circumstances, they concealed themselves at a little distance from the house, to watch the issue of the affair ; and observed the robbers *plant* or conceal a quantity of the property, of which they had just plundered the cottage, in their immediate neigh-



bourhood. Watching their opportunity, therefore, they carried off the property to their boat, and made the best of their way to Windsor. But the whole story was apparently so improbable, that nobody believed it, and the men were accordingly executed forthwith. Several years afterwards, however, an emancipated convict settler of the name of Fitzpatrick, who lived several miles farther down the river than the unfortunate marine, was found guilty of some capital offence, and condemned to death. Before his execution, Fitzpatrick, whose apparently reputable character and easy circumstances had completely diverted suspicion into other channels, confessed that it was he who had robbed and murdered the marine ; that he had gone up the river with one or more accomplices on the night of the murder, and with an intention to rob the house, in a boat with muffled oars ; and that, after shooting the marine and rifling the house, he had concealed a quantity of the plunder in the neighbourhood ; but that on returning afterwards to carry it off, he had found, to his astonishment and disappointment, that some person had *sprung the plant*—a cant phrase for discovering and carrying off property which another person has stolen and concealed.

In the year 1828, six criminals, who had all been found guilty of capital offences and had received sentence of death, were ordered for execution : three of them were Protestants, and three Roman Catholics. I had visited the former repeatedly before the execution of the sentence had been definitively fixed on by the executive council. One of them maintained his entire innocence of the crime of which he had been found

guilty ; but, as that is no uncommon occurrence, I paid no attention to it. All of them, however, indulged the hope of a commutation of their sentence into transportation to a penal settlement for life ; especially as their crimes had not been attended with bloodshed or personal violence : but as soon as the sheriff had at length announced to them that their sentence was to be carried into execution, two of the Protestants confessed that, in addition to the crime for which they were deservedly to suffer death, they had also committed the highway robbery, of which the third Protestant and one of the Roman Catholics—a very young man of the name of Lynch—had been found guilty, on the evidence of a woman who swore to their persons ; but that they had (naturally enough) concealed the circumstance so long as they had any hope of escaping with their own lives.

The execution was to take place on a Monday morning ; the sheriff's announcement to that effect having been made to them on the Thursday or Friday previous. I did not see the men after the intimation had been given them till late on the Saturday evening ; but I was then forcibly struck at the earnestness with which the two Protestants maintained their own exclusive guilt, and the entire innocence of the third Protestant and the Roman Catholic Lynch. Determined, however, not to do any thing in the matter precipitately, I visited them again on the Sabbath morning ; and the impression made upon my mind of the truth of the men's statement the preceding evening being then confirmed, I determined to mention the circumstance to the sheriff, and accord-

ingly did so during the interval between the morning and afternoon service ; intending, in the event of that gentleman's opinion coinciding with my own, to ride up to Parramatta (where the Governor was then residing, about fifteen miles off,) in the evening, to solicit a reprieve for the third Protestant and the Roman Catholic Lynch.

The sheriff observed that it was no uncommon thing for criminals under sentence of death to act precisely in the way I had described—one or more, on finding that it is all over with themselves, confessing themselves guilty of crimes they had not committed, merely to get off some old companion, perhaps, who is really guilty, and thereby render him the last service in their power : and, conceiving that the case I have detailed was just one of that character, he dissuaded me from applying to the Governor on the subject. This was a view of the case which had not occurred to me ; and, as it served materially to weaken the impression produced by the scene I had witnessed in the jail, I determined not to interfere any farther in the matter.

I again visited the criminals, however, about ten o'clock on the Sabbath evening, and, from what occurred during my visit, I was fully persuaded of the correctness of my first impression ; for while the man who had uniformly protested his innocence was apparently calm and collected, the agony of the other two at having brought two innocent persons to the scaffold was extreme, and I may add, if I know any thing at all of human nature, was undoubtedly unfeigned. Besides, I ascertained that they had no previous ac-

quaintance with the third Protestant; who had been an assigned servant to a settler on the Hawkesbury, and was characterized by his master as a quiet inoffensive man.

In these circumstances, I considered it my duty immediately to report the case to the Governor. With this view, I wrote out a statement of it on going home, as I did not expect to find His Excellency up at the early hour at which it would be necessary for me to reach Parramatta, in order to return to Sydney before the execution. I reached Government House at Parramatta before six o'clock on Monday morning, and found both the Governor and the Colonial Secretary in the area in front of it, the latter having been at Government House the preceding night, and being then just about proceeding to Sydney. The Governor—General Darling—heard my verbal statement of the case, and held a private consultation with the Secretary on the written one; the result of which was that they both coincided in opinion with the Sheriff, and deemed it inexpedient to delay the execution of the sentence.

I accordingly returned immediately to Sydney, and about two miles from Parramatta met the late Roman Catholic priest of Sydney, the Rev. Mr. Power, who had come to the same conclusion with myself, in regard to the innocence of the lad Lynch, and was actually on his way to the Governor on the very same errand. Having apprised him, however, of the result of my visit, he deemed it unnecessary to proceed any farther, and we accordingly returned together to Sydney. I saw the men once more, immediately before the exe-



cution, which took place about nine o'clock, when they all suffered death ; and I still firmly believe that two of them were entirely innocent of the crime for which they were hanged. Cases of this kind, which it is evident may occur in any country, should surely have some weight in inducing the imperial legislature to render the punishment of death somewhat less frequent than it has hitherto unfortunately been, under the operation of the sanguinary criminal code of Great Britain and Ireland.

I have already hinted at the frequency of perjury in the criminal courts of the colony. In a community so peculiarly constituted as that of New South Wales, such a state of things is, doubtless, to be expected. I have long been of opinion, however, that the practice of the criminal courts of the colony, in regard to the mode of administering oaths, has a direct tendency to lessen the guilt of that enormous crime, and consequently to weaken the obligation of an oath in the estimation of the public. There is nothing, it will doubtless be acknowledged, of greater importance to a community than the prevalence of a high regard for the sanctity of an oath ; and there is nothing which the legislative and judicial systems of any country ought to guard against with more watchful jealousy, than the prevalence of an opposite feeling. The immense superiority of the practice of the criminal courts of Scotland, in this particular, over those of England and the colonies, cannot fail to be obvious to any person who has had an opportunity of contrasting the method of procedure in the one case, with that which obtains in

the other. In the courts of Scotland, the administration of an oath is regarded as a matter of too much importance to be entrusted to any person but the judge or highest law-officer of the court. When an oath is to be administered, a deep silence prevails all over the court; the judge rises from his seat; and, desiring the witness to hold up his right hand to heaven, repeats in a solemn manner some such formula as the following, which the witness repeats after him, only changing the pronouns:—"You swear in the presence of Almighty God, before whom you shall answer at the great day of judgment, that you will tell the truth, the whole truth, and nothing but the truth—So help you God!" In short, the scene is impressive and affecting in the highest degree; and the happy result is the general prevalence of a feeling of reverence for the sanctity of an oath among all classes of the Scottish people, amounting in those of the humbler walks of life almost to superstition. Long may such a feeling prevail among my countrymen! It is one of the best bulwarks of the national virtue—one of the best securities for the national prosperity.

In the criminal courts of England, however, (I mean in those of the British colonies,) oaths are administered amid the jabbering of the lawyers, and the tittering of their clerks; the judges being perhaps employed in arranging their papers, and the spectators each talking to his neighbour! Oaths are administered, moreover, in the English courts, (*horresco referens*,) by the common crier or lowest officer of the court! As soon as a witness has taken his place in the box, this

personage steps up to him with the court Bible in his hand, and asks him whether he is a Protestant or a Roman Catholic—handing him the Bible with the plain side of the cover upwards, if he is a Protestant; but if a Roman Catholic, with the other side uppermost, which of course has a cross etched upon it, like the whity-brown paper-cross on the magistrate's affidavit Bible. The crier then pronounces the following words, in a tone of voice somewhat similar to that of a crier of 'Almanacks for the ensuing year:—“The evidence you shall give in the case between our Sovereign Lord the King and the prisoner at the bar shall be the truth, the whole truth, and nothing but the truth—So help you God!” The witness then kisses the book or the cross, and returns the Bible to the crier. In short, if an oath is to be regarded as a solemn appeal to the judgment-seat of Almighty God for the decision of matters of importance between man and man, a more complete desecration of a deeply affecting religious service cannot well be imagined, than the English colonial practice in regard to the administration of oaths, or a more direct encouragement of perjury among the lower classes of the colonial population.

Besides, as the obligation of an oath depends, in the estimation of illiterate persons of the prison-population of the colony, on the circumstance of bringing the lips into actual contact with the book or cross, a witness of this description, who is desirous of giving evidence to suit his employer, kisses only the nail of his thumb, and of course swears falsely with a clear conscience. Again, it is quite in the power of a lawyer of ability of

a certain description, who is accustomed to deal with evidence of this kind, to get a pliable witness to say whatever he chooses by merely putting what are technically called *leading questions*; while those of the Crown lawyer are in all likelihood uniformly answered in the style of the famous Majocchi, *Non mi ricordo*. On the other hand, if a witness has a mind of his own, and will not be *led*, the colonial lawyer of the class I have just been describing has another resource for his client; and that is, to browbeat him, and put him down with impudent and irrelevant questions, or by pretending to have discovered some minute discrepancy between the different parts of his evidence, and thereby insinuating a suspicion of his having perjured himself. In a state of society in which such procedure and such practices prevail around the fountain of justice, it is not to be wondered at that there should be comparatively little reverence for the sanctity of an oath. In short, the courts of justice in the Australian colonies are doubtless one of the prime sources of colonial demoralization; and if some such reform as the one proposed by the late Jeremy Bentham could be effected in the judicial system of these colonies, I am sure their best interests would be essentially promoted.



## CHAPTER II.

JOURNEY OVER-LAND TO HUNTER'S RIVER, WITH  
A DESCRIPTION OF AN AUSTRALIAN FARM.

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*Sic ego desertis possim bene vivere sylvis,  
Qua nulla humano sit via trita pedes.*

PROPERTIUS.

Thus could I live in desert wilds,  
Where human foot had never trod.

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THE principal agricultural and grazing district in the colony of New South Wales is that of Hunter's River, to the northward of Sydney. Hunter's River empties itself into the Pacific Ocean at Newcastle—a small town beautifully situated at the head of a romantic bay, the entrance of which is about seventy miles distant from the heads of Port Jackson. At the entrance of the Bay of Newcastle there is a small but rather lofty island, called Nobby's Island, somewhat resembling the Craig of Ailsa, or the Bass Rock on the coasts of Scotland, and consisting apparently of indurated clay supporting a stratum of sand-stone, over which there is a stratum of coal, the clay appearing to rest on a substratum of silicious substance. The indurated clay, of which I have seen various specimens, although I have not myself landed on the island, consists

of thin laminæ, into which it may be easily separated with a knife, and which present innumerable impressions of vegetables. I have seen such impressions in specimens of the clay obtained at a height of fifty to a hundred feet above the level of the sea : it appears indeed to consist entirely of masses of vegetable matter, which, at some former period in the history of the earth, must have floated in a solution of clay. Nobby's Island has evidently been originally joined to the mainland ; the intervening channel to the southward being still narrow, shallow, and rocky, and the successive strata of which it is composed corresponding with those of the main. It is a very remarkable and interesting object on the coast.

There are now three steam-boats plying between Sydney and Hunter's River, each of which makes a trip twice a week. The steam-boat leaves Sydney at seven o'clock in the evening, reaches Newcastle about the same hour next morning—the ocean part of the voyage being thus performed during the night—and arrives at the Green Hills, or the head of the navigation of the Hunter, at the distance of four miles from the town of Maitland, about ten o'clock ; the whole distance being about one hundred and twenty miles. The town of Newcastle, I have already observed, has somewhat the appearance of a deserted village : it is reviving rapidly, however, and is likely to become a place of considerable importance, as it is situated in the centre of the great coal-field of the colony, and as the Bay forms a good harbour for small vessels.

Coal abounds along the east coast of New South

Wales to a vast and unknown extent : it is frequently discernible from a black streak along the face of the perpendicular cliffs that form the coast-line, a mile or two off at sea ; and it is worked at Newcastle with comparative facility. The Australian Agricultural Company enjoy the exclusive privilege of working the coal-mines of the colony for a certain number of years, and they have erected works for the purpose in the immediate vicinity of Newcastle, of considerable extent. The main-shaft is on the declivity of a hill or bank running parallel to the course of the river, about a furlong from the water's edge ; and the coal is raised to the surface by steam-machinery : it is then placed in trucks, which descend along an inclined plane by their own weight ; the angle of inclination being about thirty degrees, and the weight of each descending truck being employed to raise an empty one, by means of a connecting chain passing around a system of wheels or rollers at the upper extremity of the plane. The truck is then pushed, by one or two men stationed for the purpose along an elevated horizontal railway, which terminates in a jetty ; the moveable extremity of which is so constructed as to place the truck right over the deck or open hold of a vessel loading coals in the river. The slip-bottom of the truck, which is moveable by a spring, is then thrown open, and its whole contents descend into the vessel's hold without farther trouble.

Coals are sold at the jetty on behalf of the Company at nine shillings a ton. I have not ascertained the quantity sold last year ; but the sale, and of course the consumption, has been increasing rapidly for several

years past, and there is reason to believe that it will ere long be increased tenfold, and that their coal-mines will therefore eventually yield a large revenue to the Company: for besides the quantity sold for exportation, and the daily increasing consumption in steam-engines and factories, families in Sydney begin to find coal a less expensive and more convenient fuel than wood.

When Newcastle was a penal settlement, a jetty or breakwater was commenced, to extend from the mainland to Nobby's Island, with a view to improve the navigation at the entrance of the harbour, by shutting up the shallow, rocky channel to the southward of the island, and thereby widening and deepening (which it was expected would be the result of the operation) the channel to the northward. The work, however, was discontinued during the governments of Sir Thomas Brisbane and General Darling; but it has been resumed since the accession of the present Governor, and will, according to the estimate of Captain Barney, of the Royal Engineers, the present able and active director of public works in the colony, afford suitable employment for two hundred convicts under colonial sentences for five years to come. Some colonial Goth, whose antipathy to interesting natural scenery seems to be a sort of inherent or original sin, has proposed to level Nobby's Island together, on the plea of its having been repeatedly found guilty of taking the wind out of the sails of vessels entering the harbour—a sort of misdemeanour, amounting, I presume, to petty larceny on the part of the island. I trust, however, the colonial government will adopt the wiser expedient of erecting



a light-house on its elevated summit; for Nobby's Island has surely been long enough at a penal settlement, to entitle it to indulge the reasonable hope of escaping decapitation—the last punishment of the law.

Hunter's River, or the Coquun, as it is called by the Aborigines, runs in an easterly direction for upwards of a hundred miles, from the high ranges of mountains in the interior to the Pacific Ocean. It is formed from the junction of various smaller rivers, that traverse these ranges in various directions to the right and left: it is navigable, however, only for about twenty-five miles in a direct line, or about thirty-five by water, from the coast. At the distance of twenty miles by water from Newcastle, it receives another river of considerable magnitude from the northward, called William's River, or the Doorribang; and at the head of the navigation, or about thirty-five miles from Newcastle by water, it receives a second river, called Patterson's River, or the Yimmang, each of which is navigable for a considerably greater distance than the principal stream or main river.

For the first fifteen or twenty miles by water from the mouth of the river, the land on either side is generally low, swampy, and sterile, though for the most part thickly covered with timber; but higher up, and along the banks of the two tributary streams, the soil for a considerable distance from the banks is entirely alluvial and of the highest fertility, and the scenery from the water exceedingly beautiful. Let the reader figure to himself a noble river, as wide as the Thames in the lower part of its course, winding slowly towards the

ocean, among forests that have never felt the stroke of the axe, or seen any human face till lately but that of the wandering barbarian. On either bank, the lofty gum-tree or eucalyptus shoots up its white naked stem to the height of 150 feet from the rich alluvial soil, while underwood of most luxuriant growth completely covers the ground; and numerous wild vines, as the flowering shrubs and parasitical plants of the alluvial land are indiscriminately called by the settlers, dip their long branches covered with white flowers into the very water. The voice of the lark, or the linnet, or the nightingale, is, doubtless, never heard along the banks of the Hunter; for New South Wales is strangely deficient in the music of the groves: but the eye is gratified instead of the ear; for flocks of white or black cockatoos, with their yellow or red crests, occasionally flit across from bank to bank; and innumerable chirping parrots, of most superb and inconceivably variegated plumage, are ever and anon hopping about from branch to branch. I have been told, indeed, that there is nothing like interesting natural scenery in New South Wales: my own experience and observation enable me flatly to contradict the assertion. There are doubtless numerous places throughout the territory uninteresting enough, as the reader may conceive must necessarily be the case in situations where the prospect of a settler's cleared land is bounded on every side by lofty and branchless trees: but in many parts of the territory, both to the northward and the southward of Sydney, both beyond the Blue Mountains to the westward, and for many miles along the Hawkesbury and Nepean

rivers that wash their eastern base, I have seen natural scenery combining every variety of the beautiful, the picturesque, the wild, and the sublime ; and equalling any thing I had ever seen in Scotland, England, Ireland, or Wales.

The following pastoral by an Australian poet, whose name I am not at liberty to mention, will show that there is something to captivate the admirer of nature in the woods and wilds of Australia, and will also afford the reader some idea of the rural scenery on the banks of Hunter's River and its tributary streams :—

#### ODE TO YIMMANG RIVER.

On Yimmang's banks I love to stray  
And charm the vacant hour away,  
At early dawn or sultry noon,  
Or latest evening, when the moon  
Looks downward, like a peasant's daughter,  
To view her charms in the still water.

There would I walk at early morn  
Along the ranks of Indian corn,  
Whose dew-bespangled tassels shine  
Like diamonds from Golconda's mine,  
While numerous cobs outbursting yield  
Fair promise of a harvest-field.

There would I muse on Nature's book,  
By deep lagoon or shady brook,  
When the bright sun ascends on high,  
Nor sees a cloud in all the sky ;  
And hot December's sultry breeze  
Scarce moves the leaves of yonder trees.

Then from the forest's thickest shade,  
Scared at the sound my steps had made,  
The ever-graceful kangaroo  
Would bound, and often stop to view,  
And look as if he meant to scan  
The traits of European man.

There would I sit in the cool shade  
 By some tall cedar's branches made,  
 Around whose stem full many a vine  
 And kurryjong\* their tendrils twine ;  
 While beauteous birds of every hue—  
 Parrot, macaw, and cockatoo—  
 Straining their imitative throats,  
 And chirping all their tuneless notes,  
 And fluttering still from tree to tree,  
 Right gladly hold corrobory.†

Meanwhile, perch'd on a branch hard by,  
 With head askance and visage sly,  
 Some old Blue-Mountain parrot chatters  
 About his own domestic matters :  
 As how he built his nest of hay,  
 And finish'd it on Christmas-day,  
 High on a tree in yonder glen,  
 Far from the haunts of prying men :  
 Or how madame has been confined  
 Of twins—the prettiest of their kind—  
 How one's the picture of himself—  
 A little green blue-headed elf—  
 While t'other little chirping fellow  
 Is like mamma, bestreak'd with yellow :  
 Or how poor uncle Poll was kill'd  
 When eating corn in yonder field ;  
 Thunder and lightning !—down he flutter'd—  
 And not a syllable he utter'd,  
 But flapp'd his wings, and gasp'd, and died,  
 While the blood flow'd from either side !  
 As for himself, some tiny thing  
 Struck him so hard, it broke his wing,

\* The kurryjong is a tree or shrub abounding in alluvial land, the inner bark of which is used by the natives for the manufacture of a sort of cord, or twine, of which they make nets, bags, &c.

† *Corrobory* is a native word, and signifies a noisy assemblage of the Aborigines : it is also used occasionally in the colony, to designate a meeting of white people, provided their proceedings are not conducted with the requisite propriety and decorum.



So that he scarce had strength to walk off !  
It served him a whole month to talk of !  
Thus by thy beauteous banks, pure stream !  
I love to muse alone and dream,  
At early dawn or sultry noon,  
Or underneath the midnight moon,  
Of days when all the land shall be  
All peaceful and all pure like thee !

The country along the course of the Hunter appears to have undergone considerable changes in its physical conformation from the inundations of the river. In some places the river has been diverted from its former channel, leaving a line of long narrow lagoons to designate the place of the ancient rushing of its waters ; in other parts of its course, lakes, whose existence cannot be doubted for a moment, have gradually disappeared, and been succeeded by grassy plains, islands, or peninsulas. This is particularly obvious at Patrick's Plains, a level tract of alluvial land of considerable extent, about thirty miles from the town of Maitland, as well as at the Green Hills at the head of the navigation. At the latter of these localities, the rivers Hunter and Patterson, or, as they are called by the black natives, the Coquun and the Yimmang, approach to within two hundred yards of each other, and, then diverging, enclose between their deep channels a peninsula of upwards of eleven hundred acres of alluvial land, forming almost a dead level. The peninsula, which the natives call Narragan, but which the late proprietor, Mr. Harris, a native of Dublin, called *the Phoenix Park*, is without exception the finest piece of land, both for quality of soil and for

beauty of scenery and situation, I have ever seen,—being entirely of alluvial formation, and bounded on all sides, with the exception of the narrow isthmus that connects it with the main-land, by broad and deep rivers, the banks of which are ornamented with a natural growth of the most beautiful shrubbery; while over its whole extent, patches of rich grassy plain, of thirty or forty acres each, alternate with clumps of trees or narrow beltings of forest, as if the whole had been tastefully laid out for a nobleman's park by a skilful landscape gardener. Mr. Harris has informed me, however, that in digging a well, somewhere near the centre of the peninsula, he found pieces of charred wood at the depth of nine feet from the surface, or beneath the present level of the river. It cannot be doubted, therefore, that the beautiful peninsula of Narragan was formerly a lake, and that it owes its existence to successive deposits of alluvium from the two rivers.

Previous to the introduction of steam-navigation in the year 1831, the uncertainty and danger of the existing mode of conveyance by water, between Sydney and Hunter's River, induced the majority of those who either resided in, or occasionally visited, the latter district, to travel by land. The distance is about one hundred and thirty miles, and the journey generally occupied three days.

The first time I travelled across the mountains—in the year 1827—I had a young man, who lived as a settler at Hunter's River, for my fellow-traveller and guide. Our horses had each a long tether-rope wound

about their necks, to fasten them with at night: we had each a valise or portmanteau affixed to the saddle behind, containing a small supply of provisions for the mountain-part of the road, and a boat-cloak lashed to it before, to serve as our covering when bivouacking in the open forest during the night. A tin quart-jug to make tea in on the mountains, and a pistol to strike a light, completed our equipment.

The country from Sydney to Parramatta—the first part of the road to Hunter's River, comprising a distance of fourteen or fifteen miles—is in general of inferior quality as to soil, though in some parts of it there appears to be good land: its vicinity to Sydney, however, renders it valuable: the greater part of it has therefore been cleared for a considerable distance on either side of the road; and the number of neat cottages and comfortable villas that are seen at moderate intervals to the right and left indicate the neighbourhood of a bustling and thriving capital. Indeed, land of any kind adjoining a public and well-frequented road in the colony is always considered highly valuable; for, though it should produce absolutely nothing to the agriculturist, it will at least serve to build a public-house on—a sort of crop which is cultivated in all parts of the territory in which it can possibly be grown with the least prospect of success. Indeed, the number of these nuisances, each of which produces £25 annually to the colonial revenue, is the most striking feature in the scenery of the Parramatta road, and speaks volumes for the colony. There are the *Spinning Wheel*, and the *Cheshire Cheese*,

and the *Cherry Gardens*, and the *Ship*, and the *Duke of Wellington*, and I do not know how many other *signs of the times* along the highway from Sydney to Parramatta ; at each of which the poor emancipated convict-settler, who is just beginning perhaps to do well in the world, may easily get himself dead-drunk on returning home from Sydney market with the price of his load of wheat, or maize, or pigs, or poultry : and lest he should have resolution enough to drive his bullock-cart forward without stopping to bait, there are Jem Tindall and Dennis Flanagan, sitting quite comfortable in the tap with the window wide open, bawling out to him “to stop a bit, and they ’ll go along with him ; for it is getting dark, and the bush-rangers are out.”

I have heard of a poor settler of this class, who left the Hawkesbury with a well-furnished team and a well-filled cart of produce, coming to Sydney, and disposing of his goods at a fair price : unfortunately, however, he happened to meet in the market an old associate, who had arrived in the colony as a seven years’ man and had just obtained his ticket of leave, and with whom perhaps he had often stolen in company in merry England. It was impossible to resist the temptation to adjourn with so old and *tried* a friend to one or other of the public-houses adjoining the market-place, to talk over their eventful histories. *There* the narrative of the ticket-of-leave man became so interesting, and the Bengal rum so enticing, that all thoughts of home and the Hawkesbury were thrown to the winds ; and the price of one bushel of wheat was dealt



out after another, till the whole proceeds of his load were gone. He had still, however, a good cart and team, and the publican "knew a friend who had just need of such a thing at his farm." A bargain was accordingly struck—"no bad bargain either," the publican assured him—and the two friends continued to drink. "Haven't you a bit of land at the Hawkesbury?" said the publican to his oblivious guest, after he had sojourned at his house so long that the price of the team and cart was nearly exhausted. "Have I not?" said the settler: "as good a thirty-acre farm as in the township, every acre of it cleared." "I have a mind to buy a farm thereabouts," said the publican; "what would you say to thirty pounds for it?" "You mean to make a man of me all at once," said the settler sarcastically, recollecting that the price offered was not one-fourth the value of the farm; but he was not in the humour of higgling about the price of his property, and the publican, therefore, soon brought him to his own terms. The deed of sale was accordingly made out in due form; for it is easily done "where no stamps are used." The price was then paid before witnesses, in dollars at five shillings. The settler thought there was some mistake in that mode of reckoning the price, as he had certainly meant *sterling*; but the publican assuring him he had meant no such thing, the matter was *amicably* arranged. It was only, however, after the price of his farm had been reduced to ten dollars, that the settler awoke from his dream, and determined to proceed homeward. He left Sydney with a light purse and a heavy heart, imprecating curses upon himself

and on all the publicans of the colony at every public-house he passed on the way to Parramatta. He had resolution enough to pass through the *camp*\* without visiting any of its haunts of dissipation ; but on reaching the half-way house to Windsor, he met the Hawkesbury carts coming to Sydney with produce, and was tempted to “ stop a bit ” with some of his old neighbours, to learn how matters had been going on in his absence, and to explain the circumstance of his tarrying so long in Sydney. He had still his ten dollars remaining, and he had only to take one glass of the publican’s Bengal to have them no longer : in short, he very soon got dead drunk again ; and when he awoke from his stupor, he found he had been sleeping in an out-house, and that his good blue-cloth jacket and black beaver hat of colonial manufacture had been exchanged for an old canvass jacket and straw hat not worth a farthing. In this respectable attire he made the best of his way to the Hawkesbury, whose broad and quiet stream he had not gazed on for seven weeks before. His heart throbbed instinctively as he looked in the direction of his log-hut, at the door of which his affectionate Molly—I am sorry I cannot call her his wife, although she was the mother of his children—used to watch his return from Sydney. No Molly was there ; and when he reached the scene of desolation, he found that there was neither pig remaining in the sty nor stool in the cottage ! Leaning

\* The *old hands*, as they are called in the colony, who still recollect the time when the towns of Sydney and Parramatta were mere *encampments* or rows of huts, generally prefer the old appellation.

on the door-post of his deserted cabin, with his head resting disconsolately on his shoulder, he continued for some time utterly lost in the bitterness of self-reflection ; till he was roused at length to fury and desperation by the unsolicited information he incidentally received from a neighbour passing his door. “ Molly,” said the rustic, observing that he looked rather sorrowfully—“ Molly has gone to live with M’Manus t’other side the river, and has taken the childer with her.”

Some of the largest estates and some of the largest fortunes in New South Wales have been gotten together in some such way as the one I have just exemplified, viz. *by doing business in the public line*. Nay, there are gentlemen in the colony—magistrates of the territory, and men of unquestionable honour, forsooth,—who are mean enough to speculate on this lamentable propensity of the lower orders to drunkenness, by building public-houses in the most alluring situations, and getting them licensed by the bench of magistrates in the district, and letting them at exorbitant rents !

The country between the Blue Mountains and the Pacific Ocean generally consists of a thin coating of sandy soil on a substratum of tenacious clay. The clay retains the moisture which percolates through the soil above it, and thus renders land comparatively productive, which in England would be good for nothing. This is quite the character of the cultivated land near the village or town of Parramatta ; the population of which, including that of its immediate neighbourhood, amounts to between six and seven thousand persons. Parramatta has a rural aspect, and there is an ap-

pearance of quiet and retirement about it which the town of Sydney certainly does not exhibit; and in George-Street, the principal street of the town, which is about a mile in length, the houses are all detached from each other, and have generally small gardens in front as well as in the rear. Government House, a plain building of two stories, occupies an elevated and commanding situation, within a pretty extensive domain commencing at the upper end of George-Street; and the Commissariat Store, a large brick-building on the bank of the river, to the course of which the street runs parallel, forms its termination at the other extremity.

The Hunter's River road branches off from the road to Windsor and the Hawkesbury, about three miles beyond Parramatta. For several miles onwards, the forest on either side of it consists chiefly of lofty iron-bark trees, the soil being moderately good, and the pasture in moist seasons highly luxuriant. About nine miles from Parramatta the road crosses the settlement of Castle-Hill, one of the earliest formed agricultural settlements in the territory. In this neighbourhood there is a large extent of cleared land of good quality, and the country has an undulating appearance, which relieves the eye, and is highly pleasing.

It was at this part of our route that my fellow-traveller and myself halted for refreshment at the cottage of the *ci-devant* cobbler, the particulars of whose history I have already related. After a ride of twenty-five miles from the settler's cottage through a very uninteresting and sterile country, in which sand-stone hills



and stunted trees were the only objects that the eye could discover, the sun was just beginning to descend beyond the distant Blue Mountains, when we were suddenly delighted with the view of the broad Hawkesbury River, winding along in a deep valley far beneath us. In the upper part of its course the Hawkesbury flows through a champaign country, on which its own successive inundations have gradually deposited many feet of the richest alluvial soil : but, for sixty or seventy miles towards the ocean, the mountain ridges on either side of it approximate so nearly, that the river has scarcely room to flow between them ; and it merely leaves a small patch of alluvial land, sometimes on the one side and sometimes on the other, as it sweeps more closely to the opposite bank. At the point, however, at which the road to Hunter's River crosses its channel, the valley of the Hawkesbury is of considerable width : the river, which at this part of its course is at least a quarter of a mile broad, suddenly changes its direction ; and, as it sweeps close to the precipices on the one side, it leaves a delta of alluvial land of several hundred acres on the other of the highest fertility. Nearly opposite this point of land it also receives a tributary stream called *the First Branch*, on either bank of which there are numerous small settlers located for a distance of many miles, as the rich alluvial land which the settlers chiefly cultivate is more frequently met with on the *Branches* than on the main river. The delta I have just mentioned belongs to Mr. Solomon Wiseman, a very prosperous settler, whose large two-story stone-house had been most opportunely transformed, at the

time I refer to, into a comfortable inn; the situation of which, overlooking the delta and the river, and facing the mountains on the opposite bank, is interesting and romantic in the highest degree.

The rays of the setting sun were glowingly reflected from the smooth glassy surface of the broad river, when this beautiful scene suddenly burst upon our view. Patches of wheat nearly ready for harvest, and fields of Indian corn, appeared to the right and left along the main river, and, as far as the eye could trace it among the mountains, on either bank of its tributary stream; while the yellow tints of the one, and the deep healthy green of the other, beautifully contrasted with the sombre shades of the forest, and the gray rocks that were ever and anon peering forth along the sides of the mountain. The road, from the high level from which we had first seen the river to the plain below, was formed by the late colonial government, across deep ravines and along the edge of frightful precipices, with prodigious labour, and doubtless at very great expense. It is an easy task, however, to descend a mountain by a good road. We were speedily at the foot of the precipices, and safely lodged in the inn. Our evening repast was light and pleasant. Shortly after it was finished, we invited our host and hostess to attend our evening devotions, and we then retired to our separate places of repose, to resume our journey at day-break.

The first rays of the rising sun were just beginning to gild the summits of the lofty ridges on either bank of the Hawkesbury, when we led our horses on the following morning towards the river, which we crossed in a

punt or ferry-boat constructed for the conveyance of men and cattle. The road on the opposite bank is still more precipitous, and has obviously required greater labour for its construction: numerous convicts were at work on it as we climbed the mountain. Having slowly gained the summit of the ridge, we again mounted our horses, and trotted at a brisk pace along an excellent road, over a mountainous and sterile country, for about twelve miles: we then dismounted for breakfast, near a small stream of limpid water, in a valley called *the Twelve-Mile Hollow*, unsaddled our horses, and, fixing the ends of their tether-ropes, turned them out to browse for a little on the miserable vegetation which the place afforded. My fellow-traveller then struck a light with his pistol, and immediately kindled a fire, on which he placed the tin-jug or quart-pot, which he had strapped for the purpose to his saddle-bow on our leaving the small settler's, and which he had previously filled with water from the brook. When the water boiled, he measured the requisite quantity of tea in the palm of his hand, and threw it into the pot; and then, adding a quantity of sugar, he broke off a twig from the dead branch of a tree, which he humorously told me was called *a spoon* in the Australian dialect, and stirred the mixture. When the tea was sufficiently boiled, he carried the jug to a little pool of water, in which he placed it for a few minutes, to cool it,—and we then breakfasted, not less comfortably than romantically.

For a mile or two from the place where we halted for refreshment, the road, which was only a footpath at

the time I refer to, though it is now a good road throughout, lay along the bottom of the valley; but we were soon obliged to dismount again to climb up the precipitous side of a steep mountain, to gain the summit of what the colonists call "a dividing range." These ranges, which are flanked on either side by deep and sometimes impassable ravines, traverse the country in many places for a great distance, either in a northerly and southerly or easterly and westerly direction; and the traveller has therefore merely to ascertain the proper range, to ascend to its summit, and to follow it in all its circumvolutions, to reach the proposed termination of his journey; for, if he should attempt to pursue a direct course by descending into the gulleys, he would in all probability lose his way, and perhaps perish of hunger. The summits of these ridges are just broad enough for the construction of a carriage-road, and they are often so level, that a person on horseback can trot along them for miles together without the slightest interruption.

The stage we had now commenced was eighteen miles in length; but the frequent mountings and dismountings, to climb or to descend the rocky sides of the mountains, made it appear much longer. In many parts of the route the road was so very bad, that I am sure most English horses would have refused to face it: it seemed as precipitous in some places as the stair of a church-steeple; and how the poor horses could either ascend or descend, I was frequently at a loss to conceive. The colonial horses, however, are remarkably adept in such situations: my own was an Australian by birth,



and was so trustworthy and so much *au fait* on the mountain-road, that I had only to throw the reins on his neck at the dismounting places, and he would either ascend or descend the steepest and ruggedest precipices, as quickly as I could possibly follow him, without ever leaving the track.

Along the miserable valley of the *Twelve-Mile Hollow*, and up the sides of the rugged and sterile mountain beyond it, to a height, I should suppose, of not less than fifteen hundred feet above the level of the sea, I was exceedingly gratified at observing innumerable specimens of one of the most splendid flowers in the whole botanical kingdom,—I mean the *Doryanthes*, (or spear-flower, as the word signifies,) commonly called by the colonists the *gigantic lily*. This splendid flower shoots up a single upright stem, about an inch and a half in diameter, from a tuft of blady and acuminate leaves, to the height of from six to twelve feet, which all at once expands at its highest point into a bunch of beautiful blood-red flowers considerably larger than a man's head. The contrast which this splendid flower, which would doubtless constitute one of the most attractive ornaments in the gardens of kings, forms with the stunted trees around it, and the sterile sandy soil from which it springs in the crevices of the rocks, is striking in the highest degree; and it strongly recalled to my recollection the beautiful lines of the poet, which were surely never more appropriate—

Full many a gem of purest ray serene  
The dark unfathom'd caves of ocean bear :  
Full many a flower is born to bloom unseen,  
And waste its sweetness on the desert air.

At the termination of our second stage, we arrived at a place, of which the mere name is a sufficient description—*The Hungry Flat*: it affords neither bread for man nor grass for horses, and its only recommendation is a stream of delicious water, at which both the horse and his rider gladly and luxuriously quench their thirst. We again unsaddled our horses at this resting-place, and allowed them to roll themselves on the sand, or to pick up any thing in the shape of sustenance they could find among the bushes. My own horse, however, being an old traveller, and having more good sense than his four-footed companion, thought it better to await the opening of my little portmanteau than to swallow a few nauseous leaves of the gum-tree, and accordingly received a piece of a *damper*—the colonial name of an unleavened wheaten cake baked in the ashes—with neighing satisfaction.

In half an hour we were again on horseback, trotting along towards the valley of the Wollombi, at the head of which we arrived towards sunset, after traversing about eight or ten miles more of sterile mountainous country. The valley of the Wollombi extends in a northerly direction towards Hunter's River for about thirty miles: it is bounded on either side by mountain-ranges covered with timber to their summits, and throws off numerous *arms*, as the settlers call them, to the right and left, some of which extend for a distance of twenty or thirty miles among the mountains. These arms, as well as the principal valley, abound in excellent pasture, and afford sustenance for numerous flocks of sheep and herds of cattle; and the contrast, on

descending the mountain, from a region of absolute sterility into a fertile valley, in which the hungry horses are ever and anon tempted to steal a mouthful of grass as they trot along to the next resting-place—is equally striking and agreeable. The numerous cattle-tracks, however, in this part of the country, and the comparative thinness of the timber, rendered the road particularly intricate to inexperienced persons, about the time I allude to.

About a year after my first journey over-land to Hunter's River, I had occasion to visit that district a second time. I was accompanied by a respectable proprietor of land at Hunter's River, and by a convict-servant of my brother's: I was the only one of the party, however, who had ever travelled the road before; and, as it was winter, and consequently quite dark when we reached the foot of the mountains after a long and fatiguing day's journey, I acknowledged myself quite unable to point out the way along the valley, and proposed to trust ourselves to the guidance of my horse, of whose ability to act creditably in the responsible capacity in which I proposed to employ him, I felt perfectly confident. To this proposal, however, my fellow-traveller, who had but recently arrived in the colony, was unwilling to consent, and he therefore led on in what appeared to him the broadest track. In the direction of that track we rode along between two ranges of mountains for seven or eight miles. At length, however, we lost the track, and ascertained beyond all doubt that we had also lost our way. As it would have been absolute madness to have

either gone forward or attempted to retrace our steps in such circumstances, we agreed to bivouack for the night on the side of a hill near a pool of water; and accordingly, unsaddling our horses, and fastening the ends of their tether-ropes to trees in the neighbourhood, we struck a light and kindled a large fire, each of us collecting for that purpose numerous branches of fallen trees; and our convict-servant speedily made us a very comfortable tankard of tea. As soon as we had finished our repast, I read a chapter from a small Greek Testament, which I had carried with me as a pocket-companion, by the light of our large fire; and we then knelt down together to offer up our evening devotions to the God of the hills and the valleys, the dry land and the sea. Our convict-servant—a tall brawny Scotchman, who was remarkably attentive to our comfort—then gathered an armful of fern, (*Scoticè braken*), of which there was abundance in the neighbourhood, for each of us to repose on; and accordingly, wrapping ourselves in our boat-cloaks, we lay down to sleep as near the fire as possible, for it was exceedingly cold. For my own part, I was unable to sleep, and lay for several hours listening to the horses browsing at hand or the owls whooping in the distance, or gazing at the smoke of our large fire curling upwards, and losing itself among the branches of the tall trees around us. About one o'clock in the morning, the moon arose over the tops of the mountains; and as soon as she had attained a sufficient height to illuminate the valley, I arose also, and, leaving my two fellow-travellers sound asleep by the fire, walked first a mile or two in one



direction, and then a mile or two in another, to endeavour to find the footpath we had lost trace of the evening before. Bush-roads, as they are called in New South Wales, are formed by the person who first traverses the forest, notching the trees with an axe in the direction of his route; and the way to ascertain which of two doubtful tracks is the public road, or a mere cattle-track, is to examine which of them has the trees notched along its course. I could find, however, neither notched trees, nor the marks of any horses' footsteps but our own, along the various tracks I examined in the clear moonlight; and I was therefore obliged to return to our large fire, and await the rising of the sun. At day-break we again mounted our horses; and, retracing the track we had travelled along the preceding night, we were fortunate enough to regain the road, and were enabled to pursue our journey.

On my first journey along with the Hunter's River settler,—who was better acquainted with the route,—we rode about nine miles down the valley after sunset, and bivouacked on the declivity of a hill near a pool of water. We happened to be near the sheep-station of a respectable free-emigrant settler; and the convict-shepherd or overseer in charge of it—a very obliging sort of person—brought us a bucket to hold water for our tea, and a piece of salt pork to relish it. He roasted the pork for us by using a branch of a tree sharpened at one extremity as a substitute for a fork, and holding it within a reasonable distance of our bonfire. After breakfasting in the morning, we acknowledged his kindness by giving him all that remained of our mountain-

store, as we had again got within the limits of civilization.

The valley of the Wollombi consists rather of pasture than of arable land, and during the years of drought it afforded plentiful subsistence to numerous flocks of sheep and herds of cattle. In the upper part of it, a chain of ponds, forming in one place large sheets of water, gives an interesting character to the landscape; in the lower part of it, clumps of trees, alternating with considerable patches of naturally clear land, diversify the scene. The late colonial government established about ten families of the Royal Veteran Corps in the lower part of the valley of the Wollombi, giving each of them about a hundred acres of land, with one or two cows and rations for a certain period, and building each of them a good cottage or log-house. Families of the same corps were also established, during General Darling's government, at Maitland and Patterson's Plains, in the district of Hunter's River, at Bong Bong in Argyle, and in the district of Illawarra. Soldiers, it is true, generally make but indifferent farmers: they are neither industrious in their habits nor economical in their domestic arrangements; and they usually sell their land as soon as their length of possession entitles them to do so: but the attempt on the part of the late colonial government was undoubtedly praiseworthy, and the plan pursued for the comfortable settlement of the veterans highly judicious.

Every habitable district in the colony has its tribe of aborigines or black natives; and many of these tribes

are not unfrequently in a state of warfare with each other, though at peace with the Europeans. The Wollombi tribe had a deadly feud a few years ago with the tribe inhabiting the adjoining district of Illalong; and the latter, I was informed by a respectable settler in the valley the last time I travelled over-land to Hunter's River, had a short time before testified their vindictive feelings in a most ferocious manner. Three boys of the Wollombi tribe had been induced by three different settlers in the valley to reside in their respective families: they were marked out as objects of vengeance by the Illalong natives; and, accordingly, about a hundred of the latter, who were seen at sunset one evening at Illalong, travelled a distance of between twenty and thirty miles during the night—a thing almost unheard of among the aborigines—and arrived in the neighbourhood of the settlers' houses in the Wollombi very early on the following morning. Two or three of their number were detached to each of the houses to entice the boys out. The latter, it appeared, were apprehensive at first that their neighbours had come to their vicinity with no good intentions; but, being at length prevailed on to join the *corrobory* of Illalong natives, the latter suddenly formed a circle around them, and, attacking them simultaneously, beat them to death with their *waddies*. Immediately after the perpetration of this deed of murder, the Illalong natives returned to their own district. My informant happened to pass the assemblage just as the boys were dying; but, as he was alone and unarmed, his inter-

ference with the infuriated natives would have been dangerous to himself, and could have been of no avail to their unfortunate victims.

In the course of our third day's journey, I called, along with my fellow-traveller, at the houses of several respectable settlers on our way; and at sunset I had the pleasure of reaching my destination on the fertile banks of the Hunter.

Hunter's River was named in honour of Governor Hunter, during whose administration it was discovered: its two tributary rivers were called William's and Patterson's Rivers, in honour of Colonel William Patterson, of the New South Wales Corps. Preposterously enough! for all the three rivers had native names much more beautiful, and highly significant, as all the native names are, from time immemorial. Indeed, every remarkable point of land, every hill and valley in the territory, has its native name, given, as far as can be ascertained from particular instances, from some remarkable feature of the particular locality; insomuch that the natives can make appointments in their forests and valleys, with as much accuracy in regard to place, as an inhabitant of London in the streets of the metropolis. Thus *Jerran*, or *Frightful*, is the very appropriate name of a frightfully precipitous mountain near Liverpool Plains; *Bardo Narang*, or *Little Water*, is the name of a small stream or creek that empties itself into the Hawkesbury; and *Cabramatta*, or *Cabra-pool*, is the equally appropriate and descriptive name of a chain of ponds abounding with the *cabra*, an insect of the *teredo* family, resembling in appearance the contents of a



marrow-bone, which insinuates itself into the hardest timber under water, and of which the aborigines make many a delicious meal. Surely then, when there are such unexceptionable and really interesting names affixed already to every remarkable locality in the country, it is preposterous in the extreme to consign these ancient appellations to oblivion, in order to make way for the name of whatever insignificant appendage to the colonial government a colonial surveyor may think proper to immortalize. Such, however, was the system uniformly pursued in the colony by all the predecessors of Major Mitchell, the present enlightened and talented Surveyor-General of New South Wales; who, I am happy to say, has set his face against this egregious folly, and has thereby in great measure *reformed* the colonial nomenclature, by retaining the native name of any remarkable locality whenever it can be ascertained, and by using English names very sparingly. Indeed, if the native names are to be changed in any instance, let them be displaced only for those of men who deserve to live in the memory of the colonists, and not for such *nomina obscurorum virorum*,\* as are at present stuck in every direction over the whole chart of the territory. For my own part,

I like the native names ; as Parramatta,  
And Illawarra, and Woolloomoolloo ;  
Nandowra, Woogarora, Bulkomatta,  
Tomah, Toongabbee, Mittagong, Murroo ;  
Buckobble, Cumleroy, and Coolingatta,  
The Warragumby, Bargo, Monaroo ;

\* Names of obscure persons.

Cookbundoon, Carrabaiga, Wingycarribbee,  
The Wollondilly, Yurumbon, Bungarribbee.

I hate your Goulburn Downs, and Goulburn Plains,  
And Goulburn River, and the Goulburn Range,  
And Mount Goulburn, and Goulburn Vale. One's brains  
Are turned with Goulburns! Pitiful—this mangle  
For immortality! Had I the reins  
Of government a fortnight, I would change  
These common-place appellatives, and give  
The country *names that should deserve to live.*

I had frequently inquired of intelligent settlers residing on one or other of the three rivers in the district of Hunter's River, what the native names of these rivers were; and I confess I was not a little surprised to find that none of them ever had the curiosity to ascertain them, or could give me any information on the subject. I happened, however, when riding alone in the district one day, about seven or eight years ago, to overtake a solitary black native who was travelling in the same direction, and whose name he told me was *Wallaby\* Joe*—a name which had probably been given him by some of the convict-servants of the neighbouring settlers. I found him rather an intelligent and somewhat communicative personage; for on asking him, among a variety of other questions bearing on the native mythology, the native names of the three rivers, he immediately told me that the main or Hunter's River was called Coquun; the first branch, or William's River, Dooribang; and the second, or Patterson's River, Yimmang. These names are now pretty well known in the district. The first of them—Coquun

\* Wallaby is the native name of a small species of kangaroo.

—is not likely to displace the English name, nor is it desirable that it should ; although the native name is occasionally preferred by the Australian versifier, as the following quotation from another colonial pastoral, by the author of the “ Ode to Yimmang Water,” will evince. But, with all due respect for the memory of Colonel William Patterson, whose most unclassical name is already sufficiently immortalized in the township of *Patterson's Plains*, I think it high time, and in every way desirable, that the native names of the rivers Yimmang and Dooribang should forthwith be restored.

Exhausted by the summer sun,  
The school-boy fords the broad Coquun ;  
For then the slow-meandering stream  
Shrinks from the hot sun's fiery beam,  
And like a wounded serpent crawls  
From Cumleroy to Maitland Falls.  
But when the autumnal deluge swells  
Each little brook in yonder dells,  
And twice ten thousand torrents pour  
From cliff and rock with deafening roar ;  
O, then he rolls with manly pride,  
Nor steam nor storm can stem his tide.

Although the reader will be able to form a general idea of rural life and of farming operations in New South Wales, from the desultory remarks scattered over the preceding pages, it may not be improper to give a more particular description of an Australian farm, and especially of one combining in some measure the various characteristics of an agricultural, grazing, sheep and dairy establishment on a pretty large scale. If I had been equally well acquainted with the present state and

progressive improvement of any other farm of a similar kind in the territory, I should certainly not have selected one belonging to a near relative of my own : but as all the information I have acquired of the interior of the colony has been obtained chiefly in the course of rapid visits to its different settlements in the discharge of clerical duty, I cannot be supposed to have had equal opportunities for observation in any other quarter. Besides, as the farm I allude to was not taken possession of till the actual commencement of the long drought,—the most unfavourable period for agricultural operations which the colony has ever experienced ; and as the improvements effected upon it have rather been the result of persevering industry and judicious economy, than of a large outlay of capital ; and as the convict-servants employed on it have to my certain knowledge become for the most part, and indeed almost without exception, useful, obedient, and contented servants, under a system of management, which any person of a conciliating disposition, accompanied with the requisite degree of firmness, could easily put in practice, and would find equally successful ;—I do not know that a fitter instance could have been selected.

My brother, Mr. George Lang, arrived in New South Wales as a free emigrant in the year 1821, and obtained a grant of a thousand acres of land, which he selected on the banks of the Yimmang or Patterson's River, about five miles from the town of Maitland, in the district of Hunter's River : as he held an appointment, however, in the Commissariat department, he did not immediately take possession of his land, but retained



that appointment till the month of December, 1824, when he resigned it with the intention of proceeding forthwith to his farm ; but, being seized in the mean time with an inflammatory fever, he died in Sydney in the month of January following, in the twenty-third year of his age, and during my own absence in England. The land subsequently fell to my younger brother, Mr. Andrew Lang, who had arrived in the colony a few months before as an agricultural emigrant, and who afterwards obtained an order for a grant of land on his own account from Earl Bathurst, which he selected in the same district, to the extent of twelve hundred and eighty acres, about thirty miles farther up the river. My surviving brother did not take possession of the land on which my late brother proposed to settle, till January, 1826 ; and, as he had to reside in Sydney the whole of that year, he entrusted it to the management of an emancipated convict overseer, who proved a very inefficient servant, and did very little in the way of improving it. Nothing in reality could be said to have been effected on the land till the beginning of the year 1827, when my brother settled upon it himself.

My deceased brother's grant—which he had named *Dunmore*, as a mark of filial affection towards a revered relative still alive, to whose Christian principles and uncommon energy of character I shall ever be under the strongest obligations—consisted partly of a belt of heavily timbered alluvial land, extending about a mile and a half in length along the windings of the river, which at that part of its course and for several miles higher up is both deep and broad—sufficiently so in-

deed for the largest vessels—although towards the ocean, which is about forty miles distant by water, there are shallows which a large vessel could not get over. Beyond the belt of alluvial land, there are two large lagoons, nearly parallel to the course of the river—the frequent resort of innumerable wild ducks, and occasionally of pelicans and black swans. The beds and banks of the lagoons consist of the richest alluvial soil; the rest of the farm being good forest pasture-land, very lightly timbered.

The settlement of the Scots Church in Sydney having been attended with much greater difficulty and expense than was anticipated, and certain influential Scotsmen in the colony having rather augmented than diminished the burden that was thus entailed on its friends, my relatives had been induced to make common cause with myself, in bringing whatever capital and credit they could command in the colony to bear upon the ultimate accomplishment of that object: my brother was consequently left with comparatively little capital to commence with upon his land; but he was fortunate enough to escape the influence of the *sheep and cattle mania*, which was then just at the highest; for while various other settlers, who had also but recently commenced farming at Hunter's River at that period, mortgaged their land to buy large herds of cattle to stock it, he remained satisfied with the few he already possessed, and determined not to buy more till he could pay for them. With these cattle a dairy establishment on a small scale was formed on the farm, while agricultural operations were commenced on the alluvial land. The

dairy produce, which was then bearing a high price in the colony, was regularly forwarded to Sydney to meet the various items of expenditure incurred in the maintenance of the convict-servants on the farm.

These servants, whose number was gradually increased from four to upwards of thirty,—as additional men could from time to time be obtained from the colonial government, and as maintenance could be raised for them from the land—were variously employed in felling and burning off trees for the clearing of land for cultivation, or in grubbing up the roots of those that had been already felled; in ploughing, sowing, reaping, threshing, and grinding wheat; in planting, hoeing, pulling, and threshing Indian corn; and in the numberless other operations that require incessant attention and incessant exertion on a large agricultural establishment in New South Wales, where the soil, the intending emigrant will bear in mind, is not hidden from the view, as in the British provinces of North America, for six or seven months together, under an impenetrable covering of frozen snow; but where the plough and the hoe and the sickle are kept in successive and unremitting motion all the year round.

In this way several hundred acres of heavily-timbered land have been successively cleared and cultivated; the stumps of the trees, which are usually left standing in the first instance, being for the most part rooted or burnt out. The cleared land is uniformly cropped either with wheat or maize.

The wheat is generally ground into flour, and sold in that state in the town of Maitland in the immediate

neighbourhood; the maize being either forwarded for sale to Sydney, or used in feeding horses, or in fattening pigs and poultry on the farm. Potatoes and tobacco are also grown for sale, besides supplying the consumption on the farm, which, in the latter article especially, is by no means inconsiderable. The dairy produce during the four summer months, November, December, January, and February, is cheese, which is sold in Sydney by the hundred weight or ton; during the rest of the year it consists of butter, which is forwarded to Sydney by the steam-boat in a fresh state every week, and sold in the market. The price of that article of produce varies from one shilling to eighteen-pence, or even two shillings a pound.

In the course of the year 1832, when the cattle on my brother's farm had increased to a herd of about three or four hundred, he purchased a flock of fine-woolled sheep, which at that time cost fifteen shillings each, with the intention of forming a grazing establishment on his own grant of land, which had previously been lying waste. The dairy-cattle being accordingly separated from the herd, all the rest, with the sheep and young horses, were sent, under charge of a hired overseer and two convict-servants, to form a grazing station at the distance of thirty miles.

In the mean time, as several hired mechanics with their families were occasionally employed on the farm, besides free sawyers and other hired labourers, all of whom received rations of flour, &c. as part of their wages, it was found that there was a considerable loss of time and waste of material in grinding wheat for so



many people—about sixty in all—with the common steel mills in general use in the interior: a horse-mill was therefore erected, and afterwards a windmill; a threshing-mill, and a mill for the manufacture of Scotch barley—the first that had been constructed in the colony—being subsequently appended to the original machinery.

A garden, in which all the sorts of fruit-trees I have enumerated in a preceding chapter were successfully cultivated, had been formed on the farm by a free emigrant Scotch gardener, hired for the purpose; but the site being within reach of the inundations of the Hunter, it was completely destroyed by a high flood in the year 1830. A second garden, however, was afterwards formed beyond the reach of inundations, with a vineyard of about an acre in extent, and an extensive orchard. The gardener was one of the machine-breakers, transported from the agricultural counties of England in the year 1831: he had been employed in the same capacity for many years, in the garden of a clergyman in Shropshire, and was assigned to my brother on his arrival in the colony. He is, without exception, the most industrious man I have ever seen; and one of the commissions I was charged with on leaving the colony for England, in the year 1833, was to endeavour, if possible, to get out his wife and child, as he told me he had no doubt of being able to do well both for himself and his family in New South Wales. I forwarded his letter on my arrival in London, requesting the party to whom it was addressed to communicate with me on the subject to which it related, as I had it in my power to facili-

tate the attainment of the poor man's desire; but I received no answer, and poor Joseph had never heard of his wife and child up to the time of my leaving the colony again for England in July, 1836.

On my return to the colony in the year 1834, I found that my brother had purchased a valuable property of about 1400 acres adjoining his own, making the whole extent of his farm on the Yimmang or Patterson's River upwards of 2400 acres, with a navigable river frontage of upwards of five miles, and an extent of arable land of the first quality amounting to 1500 acres, of which a third is now cleared and under cultivation. The crop for the year 1835 and 1836 was as follows:—

Land under wheat, 150 acres; produce, 3500 bushels, or  $23\frac{1}{2}$  bushels per acre; price of wheat in the colony during 1835 and 1836, from eight to twelve shillings per bushel.

Land under maize, 164 acres; produce, 8000 bushels, or  $48\frac{1}{2}$  bushels per acre; price of maize, from four to five shillings per bushel.

Land under barley, 25 acres; produce, 600 bushels, or 24 bushels per acre; price of barley, five shillings per bushel.

Potatoes—ten tons sold at £10 per ton, besides the consumption on the farm.

Tobacco—all used on the farm.

Dairy produce sold to the amount of at least £200.

Pork, reared chiefly on maize, sold to the amount of upwards of £200.

Wool sold to the amount of about £300, the farm having hitherto been chiefly agricultural.

The vineyard, comprising about an acre of ground, produced upwards of two tons of grapes.

The first dwelling-house erected on my brother's farm was formed of rough slabs of split timber, the lower ends of which were sunk in the ground, the upper extremities being bound together by a wall-plate: it was thatched with reeds or coarse grass, and contained three apartments—a parlour or sitting-room, a store-room, and a bed-room—each of which, however, was occasionally used for other purposes. The kitchen was detached, and was inhabited by a convict-servant and his wife. The bare ground served as a floor, and the interstices between the slabs were plastered with a composition of mud, the walls being white-washed both within and without. This homely building, which I am sure would not cost £20, was afterwards furnished with glass windows and a floor of rough boards, and served as the farm-cottage for three or four years. By that time considerable improvement had been effected on the land, and a suitable situation had been pitched on for the future and permanent dwelling-house. A range of out-buildings of stone, intended for a kitchen, store-room, &c., was accordingly erected in that situation, and fitted up and occupied as a second temporary residence; the wooden building being then given up to the farm-overseer. At length, a permanent dwelling-house was erected adjoining the out-buildings, on an elevated and commanding situation, between the two lagoons, and about half a mile from the river. It is a two-story house, built of cut stone, having a verandah or covered portico all round.

In short, the maxim of all prudent settlers in the salubrious climate of New South Wales is the one divinely recommended by King Solomon, nearly three thousand years ago, to the Jewish colonists whom he seems to have settled in some of the conquests of his father David ; for it can scarcely apply to the case of a country already settled : “ Prepare thy work *without*, and make it fit for thyself *in the field*; and AFTERWARDS *build thine house*.”—Proverbs, xxiv. 27. A prudent settler, who expends his capital in improving his land, and in securing a profitable and regular return for his labour in the first instance, will be able, in a very few years after his first settlement, to build a much better house than he is likely to erect on his farm when there is no other improvement effected upon it ; and the inconvenience of being but indifferently lodged in the mean time is but a small matter comparatively in a climate like that of New South Wales.

The advantages enjoyed in such cases as the one I have just described, over those likely to be enjoyed by respectable free emigrants arriving in the colony at present, are, 1st, The more eligible tenure of the land ; which, in the case of emigrants arriving in the colony a few years ago, was granted in portions of five hundred to two thousand five hundred and sixty acres at a small quit-rent, but which is now uniformly sold by the colonial government at a price of not less than five shillings an acre. 2nd, Superior locality ; the farm I have just described being situated in the centre of a comparatively populous district, and possessing the inestimable advantage of steam-navigation.

At the same time, in other respects equally import-



ant, the circumstances of the colony are much more favourable now than they were ten years ago for the settlement of a respectable family, either in the interior or on the coast. The same amount of capital which it required to stock a large farm moderately with horses, sheep, and cattle, ten years ago, will probably be required to stock the same extent of land now; but although the settler will now have to pay for his land, he will have whatever number of free farm-servants or labourers he may choose to carry out with him landed in the colony free of cost. Besides, the cost of maintaining a family for twelve or eighteen months after their arrival is at present much less than it was at the period I refer to, while the price of wool—the staple article of colonial produce—is higher than ever. To the sheep or cattle farmer, distance is a matter of very small moment; for cattle travel to the market themselves; and the cost of conveying wool to the shipping-port, from a great distance in the interior, is comparatively trifling. On the other hand, the extension of steam-navigation along the eastern coast of New Holland will very soon render it a matter of no consequence to the agriculturist, whether he is fifty or five hundred miles from the capital, provided he is within reach of a navigable river, or harbour, or good roadstead, on the coast. There will very shortly be a steam-boat plying regularly between Sydney and Hobart Town, the capital of Van Dieman's Land: in that case an agriculturist would be just as favourably situated for the colonial market at Twofold Bay, at the southern extremity of the Australian land, as at Hunter's River.

In short, I see no reason, why persevering industry,

or rather vigilance and economy, should not lead to equally favourable results in the present circumstances of the colony, with those to which they have evidently led in the instance I have mentioned, as well as in many others, with which I am not so intimately acquainted. Let the reader not imagine, however, that there is any thing to be gained in New South Wales without persevering industry conjoined with prudent management and economy. Wherever our lot is cast in the wide world,—whether we are called to earn a mere livelihood by contending with the unpropitiousness of the seasons and the stubbornness of the soil, or to struggle for far higher interests with hostile principalities and powers,—this is the uniform condition of mortality,—

*Nil sine magno*

*Vita labore dedit mortalibus ;*

or, in other words, “ In the sweat of thy face shalt thou eat bread, till thou return unto the ground.”

## CHAPTER III.

NOTICES OF THE SETTLEMENTS OF BATHURST  
AND ILLAWARRA.

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“ The man waxed great, and went forward, and grew until he became very great: for he had possession of flocks, and possession of herds, and great store of servants.”—Genesis, xxvi. 13.

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THE road to Bathurst, or, as it is more frequently called, the *Great Western Road*, branches off from the Parramatta road at the eastern extremity of the town of Parramatta. At the distance of a few miles from Parramatta is the settlement of Prospect, the residence of several small settlers, and of a few families of a higher class. In this neighbourhood, the country, which is of an undulating character, exhibits that singular feature which I have already mentioned, and which is elsewhere observable in the colony; the ground on the declivities and on the summits of the hills being of inexhaustible fertility, while in the hollows or lower levels it is comparatively unproductive. I have myself frequently observed, when riding in the interior, either before sunrise or after sunset during the winter months, that while the temperature on the high grounds was

mild and pleasant, it was extremely cold in the hollows ; perhaps in consequence of the colder and denser air sinking, from its greater specific gravity, to the lower levels. The black natives of the colony have observed this peculiarity in the Australian climate ; for instead of making their encampments for the night, and kindling their diminutive fires, in the gulleys or hollows, as one should have supposed they would have done, they more frequently select as their temporary resting-place some elevated situation. I should not imagine that this atmospherical peculiarity has any thing to do with the nature of the soil in such localities, but it may perhaps have some influence on the vegetation.

Beyond the settlement of Prospect, the Western Road skirts along the old government agricultural establishments of Toongabbee and Rooty Hill, and the houses of respectable landholders are observable at irregular intervals to the right and left. At length, the Blue Mountains are seen, through an opening in the forest, towering upwards, at a distance of ten or twelve miles directly in front ; the road running for a considerable distance, in a due westerly direction, as straight as an arrow, and the lofty trees on either side of it forming a vista somewhat similar to that which is formed by two corresponding rows of pillars in an old Gothic cathedral. The intervening valley of the Hawkesbury then opens gradually on the view, presenting a large extent of champaign country, through which the river Nepean, spreading fertility in its progress, like the ancient river of Egypt, winds romantically along the base of the mountains.



The hospitable mansion of Sir John Jamison, of Regentville, occupies an elevated and commanding situation at a considerable distance to the left of the road, having a great extent of rich alluvial country in front; the Blue Mountains, with their dark mantle of forest, to the left; and the river Nepean flowing placidly between. The river is crossed in a punt at Emu Ferry, about thirty-five miles from Sydney; the deserted government establishment of Emu Plains—where it is intended to form a town, for which indeed the locality is admirably adapted—being situated between the river and the mountains. From Emu Plains the mountain road ascends Lapstone Hill—a steep and difficult ascent of four miles; the summit of which, with the level ground beyond it, forms a sort of pedestal for the higher mountains to spring from. There is a comfortable inn on the top of Lapstone Hill, at which travellers generally halt for their first day's journey, the distance from Sydney being about forty miles. The first time I travelled to Bathurst, however, my fellow-travellers and myself rode a few miles farther, and halted at a military station called *Spring-wood*, the accommodations on the mountains being then very inferior to what they are now. Our host at Spring-wood was a corporal of the third regiment, or Buffs, now in India; the wooden walls of whose humble dwelling were ornamented with a portrait of "*Lord Anson*," a picture of the "*West India Docks*," another of "*Christmas drawing near at hand*," and a third exhibiting "*the Stages of Man's Life compared to the twelve months of the year*;" the homely character and style of which may be inferred

from the circumstance of their being for sale, at sufficiently low prices, at the "Wholesale Toy and Marble Warehouse, Great St. Andrew's Street, Seven Dials."

A serjeant or corporal of the 48th regiment had been stationed some time before the period I allude to at Cox's River, another military station on the Bathurst road: he had been an industrious man, and had accumulated some property both in goods and cattle in the colony—as much even as amounted to £300: but the regiment being ordered to India, and no interest or entreaty being available to procure his discharge, he disposed of his property; and on coming to Sydney, in a state of mind which the reader will doubtless commiserate, he commenced drinking the price of it with some of his old companions in right earnest. In this inglorious employment he was unfortunately so successful, that in the space of six weeks he had left himself quite pennyless, and was consequently ready to embark on equal terms with the rest of his company for India. Though I cannot by any means defend the soldier for thus sinking under the pressure of adversity, I cannot but pity him; and I cannot help regretting, moreover, the operation of a system, which thus deprived the colony of an industrious and deserving individual, who would in all likelihood have reared a virtuous family, and been a blessing to his neighbourhood, for the purpose of landing an additional drunken soldier on the ramparts of Fort George.

There is another subject of regret connected with the military system of the mother country, as it regards the

colonies and the Indian empire. The regiments of the line that are stationed in the Australian colonies, of which there are now three in New South Wales and one in Van Dieman's Land, are uniformly sent to India after five or six years' service in these colonies. At the expiration of that period, there is always a numerous flock of interesting sprightly children belonging to the regiment about to proceed to India, all of whom must of course follow their parents to that deadly climate, where both parents and children are mowed down like the standing corn before the sickle of the reaper. Now there might surely be some better and more humane arrangement effected without detriment to His Majesty's service; the families to be allowed, for instance, to remain in the colony, and a few unmarried recruits to be forwarded from the mother country to supply their place. It would doubtless be the interest of the colony of New South Wales to reimburse the mother country from the colonial land-revenue for all the additional expense which such an arrangement would cost to procure so large a periodical accession to its free population. We have had colonial projectors who would willingly have lodged a *detainer* upon the children in all such cases, and allowed the parents to proceed to India with their respective regiments, placing their orphaned offspring at agricultural nursery establishments in the interior of the colony, to be conducted on the *soup-kitchen* or *Owen and parallelogram* style: but although persons of this class are evidently of the order of cold-blooded animals themselves—an order, which the naturalists inform us

is entirely destitute of natural affection—British soldiers, it must not be forgotten, are of the order *mammalia*, having warm blood and breathing by lungs, and are consequently possessed in a high degree of the feelings and affections of men. Their children, in short, are not to be torn from them and penned up in a separate stock-yard, like a number of colonial calves, to be fed till they reach maturity out of a common pail.

From the top of Lapstone Hill to a short distance beyond Spring-wood the ascent is so gentle as to be scarcely perceivable: the country consists chiefly of forest-land of inferior quality; the trees are lofty, and for the most part of the iron-bark species; and though the inferior vegetation is scanty, there is food for horses and cattle. For the next thirty-five or forty miles, however, the country which the road traverses consists of immense masses of sandstone-mountain piled over each other in the wildest confusion, like Pelion on Ossa; while trees of moderate elevation and of an endless variety of botanical families are seen in every direction, *moored in the rifted rock*. The mountain range traversed by the Bathurst road is the dividing range that separates the numberless deep gulleys that communicate with the valley of the Grose river—one of the parent streams of the Hawkesbury—to the right, from a similar series of impassable ravines, communicating with the valley of Cox's River above its junction with the Warragumby, or rather the Wollondilly,\* to

\* The reader will easily perceive that the last-mentioned of these rivers is the only one of the three that has been permitted to retain its



the left. The road has consequently to follow all the sinuosities of the range; so much so, that the course of a traveller on the mountains very much resembles that of a ship beating up against a head-wind; for he finds, to use the maritime phraseology, that although his *log* indicates a rapid progressive motion, he has after all made but a very few miles of *westing*.

Having left Spring-wood long before day-break, on a cold winter morning, when the ground was covered with hoar-frost, we had reached the summit of a lofty eminence called *King's Table Land*, nearly four thousand feet above the level of the sea, in time to behold the glorious phenomenon of the rising sun gradually lifting up the dark veil of night from the valley of the Hawkesbury, as it lay outstretched in silent loveliness far beneath us; while in a few minutes after the clear river skirting along the yellow corn-fields in the valley seemed like a border of silver on a web of cloth of gold. The oblique rays of the sun, that fell powerlessly in the mean time on the top branches of the lofty trees in the numerous deep gulleys to the right and left, served only to render visible the dismal darkness of these gloomy ravines, the precipitous sides of some of which are not less than two thousand feet in height, and which had doubtless never been trodden by the foot of man.

After a smart ride of three or four hours, my fellow-travellers and myself arrived at the *Weather-boarded*

mellifluous and doubtless highly appropriate barbarian appellative. Truly the colonial literati will ere long have good reason to exclaim with Cato, "*Vera nomina rerum amisimus.*"—Sallust, *De Conjur. Catilin.*

*Hut*, which in 1826 was merely a military station, with a keen appetite for breakfast ; but we were not a little mortified to find that there was nothing to be had at the station but pure water, every particle of flour having been consumed on the preceding day ; and two soldiers, who had been despatched by the serjeant in command to the nearest settlement for a supply, not having returned. Our mortification was perhaps heightened, when we recollected that the corporal's wife at *Springwood* had offered to make us a comfortable breakfast before we started in the morning ; but we could not mend the matter ; and we had consequently to postpone our morning's repast till the evening, when it was calculated we should reach a comfortable inn at the western extremity of the mountains, where we proposed to rest for the night.

On crossing the mountains a second time, after an interval of six years, I found a comfortable inn at the *Weather-boarded Hut*, where my fellow-traveller and myself halted for breakfast, after a ride of upwards of twenty miles from the inn near *Lapstone Hill*, where we had rested the preceding night. There is a stream of fresh water, sufficient in ordinary seasons to turn a mill, in the valley of the *Weather-boarded Hut*, which, at the distance of two or three miles down the valley, suddenly precipitates itself over a precipice, whose perpendicular height cannot be less, I should imagine, than double the height of the ledge of rocks across the channel of the great Canadian River, which forms the celebrated cataract of *Niagara*. After breakfast I proposed to my fellow-traveller to walk down to the Falls, as our horses

required two or three hours' rest before resuming our journey; but the length of the morning's ride and the heat of the day (for it was then January, or midsummer in the colony,) induced him to prefer awaiting my return in the inn. I accordingly got two boys who belonged to the station for guides, and walked towards the Falls, where I was happy to find that the magnificence of the scenery far more than compensated for the additional exertion.

The valley of the Weather-boarded Hut terminates abruptly at the Falls, in a much more extensive valley, crossing its direction at right angles, the boundary of the latter valley being a line of perpendicular cliffs of immense height. At the point where the rivulet leaps over the precipice, the cliffs recede considerably, forming two bold headlands of fearful elevation, and enclosing a basin of prodigious depth, in which the tops of lofty trees are seen many hundred feet below the edge of the precipice. On gaining the edge of the precipice, the waters of the rivulet seem to shrink instinctively from the frightful leap to which they have been conducted in their course down the valley; each individual drop appearing endowed with a separate volition, and seeming determined to shift for itself; and the whole mass of fluid resolving itself into what appears like innumerable particles of frozen snow. Were the Ottawa, or any of the other mighty tributaries of the river St. Lawrence, to descend the valley of the Weather-boarded Hut, I am confident its fall over the precipice I have thus imperfectly described would take precedence of the Falls of Niagara: as it is, however, I have been told, that

when the rivulet is flooded, the scene is of surpassing magnificence.

About twenty miles beyond the Weather-boarded Hut, the mountain-range traversed by the Great Western Road terminates abruptly in a steep and almost precipitous mountain, called Mount York, upwards of three thousand six hundred feet above the level of the sea: and as the range presents in every other direction a line of perpendicular rocks of several hundred feet in height towards the valley on either side, it was absolutely necessary to descend this mountain, to reach the lower level beyond it. To effect this object, the original projectors of the Bathurst Road seem to have imagined that the most expeditious way of getting down the mountain was to descend headlong, for the original road was as precipitous as can well be imagined. The superintendence of the roads of the colony being afterwards entrusted to Major Lockyer, of His Majesty's 57th regiment, a great improvement was effected on the descent of Mount York, a new road being formed under Major Lockyer's direction, in which the descent was diminished to one foot in every four. The acclivity, however, was still distressing for cattle proceeding towards Sydney with heavily-laden drays; and the descent was so dangerous, that the drivers of bullock-carts had uniformly to cut down a tree on the summit of the mountain, and fasten it as a drag to the cart-wheels before attempting it. At length, Major Mitchell, the Surveyor-General of New South Wales, whose talents in this most important department of engineering are of the highest order, being appointed by



His Majesty's Government to the general superintendence of the roads of the colony, a bold and original expedient for gaining the lower level was happily devised and successfully executed, to the incalculable benefit of the inhabitants of the extensive and important country in the western interior.

Parallel to Mount York, Major Mitchell observed another mountain of equal elevation called Mount Vittoria, which he found connected with the former mountain for a certain distance from their base by a natural dyke or narrow ledge of rocks stretching across the intervening abyss. He therefore threw down a portion of the rocky summit of Mount York till he reached the summit-level of the connecting dyke, and then carrying the road in a sloping direction along this natural causeway to Mount Vittoria, lengthened out the remaining descent by cutting a gently inclined plain along the precipitous side of the latter mountain to the valley below. It was one of those bold conceptions that occur only to men of original genius, and it can only be duly appreciated on the spot by a skilful observer of the striking locality. The dyke or ledge of rocks, on which the road now crosses the intervening valley, is so narrow, and withal so elevated, that it seems quite aerial, and the traveller can scarce divest himself of a feeling of insecurity in passing along it. The valley to the eastward is designated the Vale of Clywd, after a well-known valley in North Wales, which it is thought to resemble in its general outline. I recollect admiring the beauties of that justly celebrated vale from the ruins of Denbigh Castle, during a solitary pedestrian

tour which I happened to make in North Wales, on being let loose upon the world from a Scottish University in the year 1821: but I confess I experienced far higher emotions—emotions of an overpowering and spirit-stirring character—when sitting on horseback and contemplating the sublimer features of the Australian valley from the pass of Mount Vittoria.

Two miles and three quarters in point of distance were saved to the travelling public of the colony by this important public work, while the descent was diminished from one foot in every four to one in every fifteen: it is evident therefore that the talents of an officer of Major Mitchell's ability, in so important a department of the public service, are of vast consequence to the community at large, in a country of such anomalous geological formation as New South Wales. I am sorry to state, however, that, in consequence of some of those petty jealousies, dislikes, and antipathies, which are found so frequently to affect the motions of the state-carriage in the colonies, Major Mitchell was laid entirely on the shelf, in as far as regarded the laying down of the lines of roads, or the prosecution of geographical discovery in the interior, during the late colonial administration. Any person's line of road was preferred to that officer's, and thousands and tens of thousands of the public money were consequently expended to no purpose, in clearing and forming lines of road, which will now be superseded by others of far less cost and of far greater utility. I am happy to state, however, that the present Governor has acted in this important particular in greater accordance with the

interests of the community. It is doubtless the highest mark of wisdom on the part of a ruler to avail himself of eminent talent for the advancement of the general welfare, in whatever department of the public service or in whatever quarter it is evinced : it is an evidence alike of intellectual weakness and of something implying a betrayal of trust, to commit the weightier concerns of the public to drivelling incapacity.

To the westward of Mount Vittoria, the country consists chiefly of hills and valleys watered by running streams, and abounding in excellent pasture for sheep and cattle : there has consequently been a considerable extent of land located in this part of the route ; and the different roads to Bathurst—of which there are at present no fewer than four, three of which, however, have nearly been superseded by Major Mitchell's new line—conduct the traveller to many interesting spots, where prosperous farming establishments have been formed in the wilderness, in the neighbourhood of which the bleating of sheep and the lowing of oxen are heard in the dewy morning, enlivening the inland “ woods and wilds ” of Australia, and recalling the cherished recollections of rural scenes far beyond the annual northern journey of the sun.

The highest land on the Blue Mountains' road occurs at the distance of ninety or a hundred miles from Sydney ; the road crossing the dividing range that separates the eastern from the western waters in that part of the route. There is a singular circumstance connected with these waters not undeserving of attention. Those flowing to the westward, or the interior of the continent,

abound in a species of perch, or *cod*, as they are called in the colony, of which the waters flowing to the eastward are entirely destitute; and the ultimate direction of any stream of unknown destination found winding along the trackless ravines of the intervening mountains, can be determined with the utmost certainty from this circumstance. The cod caught in the river Lachlan are large and well-flavoured, and are preserved by drying them in the sun. I have seen them in this state at the table of a respectable settler at Bathurst, who had them brought as a delicacy from his grazing station, at a distance of seventy-five miles overland. The gentleman I allude to related an amusing anecdote connected with Australian fishing, which had fallen under his own observation a short time before. He had been out for several days on an excursion in the interior, with one or two other settlers of the Bathurst district, and two or three black natives: one of the latter had a complete suit of slop-clothing, consisting of a gray jacket and trowsers, which had been given him by my informant, to whom it seems he was much attached, and whose name he had even adopted as a mark of respect. In the course of the expedition, the party caught a quantity of fish in one of the western rivers; and after roasting as many of them as they required at the time, the rest were entrusted to Jackie to carry to the next resting-place. Jackie had no fish-basket, but he had ingenuity enough to find a substitute; for, cutting off both of the sleeves of his jacket close by the shoulder, and tying up the ends of them, he packed them both full of fish,



and slung them round his neck, perfectly unconscious of the ludicrous appearance he exhibited.

The view of the plain of Bathurst from the elevated land to the eastward, from which it is first seen at a great distance, is singularly interesting. The eye is so much accustomed to forest scenery in New South Wales, that the sight of clear land is naturally associated with the idea of a vast expenditure of human labour, and the view of an extensive plain naturally destitute of timber consequently affects the traveller with a mingled emotion of surprise and delight. The plain of Bathurst is about nineteen miles in length, and from six to eight in breadth, containing about one hundred and twenty square miles of naturally clear land. It is by no means a dead level, but consists rather of a series of gentle elevations with intervening plains of moderate extent, the surrounding forest-country being generally very thinly timbered, and patches of forest stretching at irregular intervals a considerable distance into the plains, like points of land into a lake.

It were no easy task to account for the existence of such open plains in the interior of a country so uniformly covered with timber in all other localities as the territory of New South Wales, and especially in situations where the soil is evidently by no means unfavourable for the growth of timber. For my own part, I am inclined to believe, that the plains of Bathurst, and others of a similar character in the colony, both to the northward and southward, have at some former period been covered with timber, in common with the other

parts of the territory ; but that the timber having been in great measure destroyed in the course of some long drought similar to the one experienced during the government of General Darling, the frequent burning of the rich long grass on the plains by the black natives has gradually destroyed the remainder of the forest, and prevented the growth of any succeeding generation of young trees. In confirmation of this idea, I observed depressions in some parts of the plains, exactly similar to those which are formed by the burning out of a large tree, while in other places perpendicular holes of two or three feet in depth, rather more than sufficient to admit a horse's leg, and for that reason somewhat dangerous to horsemen, are not unfrequently met with, and seem to indicate the places in which smaller trees of hard timber had gradually wasted away. On the other hand, there are parts of the territory, as for instance in the upper portion of the district of Hunter's River, where the country is but lightly timbered, in which all the standing trees are evidently of great age, but in which there are no young trees springing up to supply the places of those that are dying away. In short, to use the words of Humboldt, which, however, I quote merely from memory,—“ The distribution of organized beings over the surface of the globe is a problem too difficult for man to solve in the present state of his knowledge and of his powers.”

I have elsewhere observed that the plain of Bathurst is traversed in the direction of its length by the river Macquarie, which pursues a meandering course along the plains, having its banks occasionally ornamented

with a handsome though rather melancholy-looking tree, called the swamp-oak. During my stay at Bathurst, I ascended a conical hill of about three or four hundred feet in height, called Mount Pleasant, situated on the extensive estate of Major-General Stewart, on the left bank of the river, from the summit of which the scenery reminded me of the view from Stirling Castle in Scotland. The level plain lay extended to the right almost as far as the eye could reach, like a large lake with a belt of forest skirting its deeply-indented shores, while numerous flocks of sheep and herds of cattle were roaming in every direction over its luxuriant pasture. The river, which had traversed its whole extent through an avenue of melancholy swamp-oaks, seemed as if it were mournfully winding its silent way to the distant and unknown interior, like a young adventurer weeping unwillingly as he leaves the joyous scenes of his boyhood for some far remote and foreign land. The houses of respectable settlers, with their extensive farm-yards and out-buildings, their orchards and their patches of cultivated land, were seen at irregular distances all over the plains ; while the numerous turf-built, thatched, and white-washed cottages of the smaller settlers enlivened the scene.

The great extent of naturally clear land of superior quality formed the chief attraction of the Bathurst district when the stream of free emigration had begun to flow to the shores of Australia : but the difficulties of the mountain-road, which at that period were manifold and prodigious, could only be overpowered by men possessed both of energy and capital. The Bathurst country

was therefore for the most part apportioned out in grants of two thousand acres each, to families of respectability; and I am happy to state that the district has hitherto maintained its superior character, both in the state of harmony in which the respectable settlers appear to live with each other, and in the regard they manifest for the ordinances of religion, and for the religious instruction of their families and servants. As nearly one half of the respectable families of the district belong to the Presbyterian communion, there are both an Episcopal clergyman and a Presbyterian minister of the Church of Scotland stationed at Bathurst; the Episcopal Church being situated on the east, and the Presbyterian or Scots Church on the western side of the river. The Episcopal clergyman is the Rev. Mr. Keane, a graduate of the University of Dublin; the Scotch clergyman is the Rev. K. D. Smythe, A. M.; and it gives me sincere pleasure to add, as a valuable testimony in their favour, that the worshipping of God in their own families—a much-neglected service, the benign and humanizing influence of which, however, cannot but be seen and felt wherever it is duly observed—is generally practised by the more respectable settlers of both communions on the plains. I wish it were only in my power to give an equally favourable testimony of a single other district similarly circumstanced in the territory. A Roman Catholic priest has recently been appointed for the Bathurst district, and a Wesleyan missionary has been stationed in the vicinity of the settlement during the past year.

Besides the respectable families I have just alluded



to, there are many small settlers residing on different parts of the plains of Bathurst, of whom not a few have made themselves comfortable and independent, though others are distinguished only for their reckless dissipation. A settlement of veteran soldiers was formed by the colonial government several years ago, at a place called the *Black Rock*; and the indulgences that were afforded them might certainly have placed them eventually in comparative independence: but a military life seems, in the great majority of instances, to have a thoroughly depraving influence on the common soldier; and, of the few individuals that escape that influence, the majority are absolutely good for nothing in any other department of life. Such, at all events, has hitherto been the uniform result of all the attempts of Government, in the way of forming settlements of veteran soldiers in the colony. A number of small settlers of a more hopeful character were located a few years ago in *Queen Charlotte's Vale*, a valley communicating with the plains on the farther side of the river, and approaching the nearest in its original state to the *beau idéal* of natural scenery of any thing I have ever beheld. It is traversed for several miles by a rivulet which empties itself into the river Macquarie, the native grass on either side of which has a verdant appearance quite refreshing to the eye; and trees of moderate height, and of highly graceful foliage, are disposed at irregular intervals over its whole extent, so as to produce the most picturesque effect imaginable. I called at the cottage of a respectable free emigrant Scotch settler who had been long in the colony, but

had only recently settled with his large and highly reputable family at the entrance of the vale. His cottage was built of turf, and covered with thatch ; but being plastered with a composition of mud, and white-washed both within and without, it had an air of neatness and comfort quite attractive. On the open lawn in front of it there were two or three trees of a peculiarly ornamental character ; and as I had reason to suspect that in that spirit of irreconcilable enmity to all standing timber, which is almost uniformly evinced by the Australian colonists, their extirpation had already been determined, I could not help interceding for their preservation ; telling my worthy friend at the same time, that if he cut them down notwithstanding, he would deserve to be summoned before the Kirk Session, or Presbyterian Parochial Ecclesiastical Court, for a misdemeanour.

The locality occupied by the public buildings at Bathurst, around which a town of considerable size and importance is now in rapid progress of formation, is called *the Settlement*. In the immediate neighbourhood of the Settlement a few small grants of land were apportioned by the late colonial government as home-stations, to various respectable proprietors who already possessed extensive tracts in the surrounding country ; and it is greatly to be regretted that the practice had not been earlier introduced and more generally followed. It would have brought all the respectable proprietors of a large extent of country within a moderate distance of each other, and within reach of the means of religious instruction, and of an education for their children, superior

to what families residing far apart from each other can obtain; while their numerous flocks and herds could have ranged over the surrounding pastoral country for hundreds of miles as freely as they do now. Indeed, the peculiar adaptation of the plains of Bathurst for such a purpose is so strikingly obvious, and the adoption of that purpose would have proved so evidently conducive to the general welfare of the colony, that it is almost marvellous that the idea should not have suggested itself to the last two Governors of New South Wales; by both of whom the Crown lands of the Bathurst district were, with only a few inconsiderable exceptions, recklessly and irrecoverably alienated in large tracts, without the least regard for the real welfare of its future inhabitants. I should be sorry to insinuate that any proprietor on the plains has more land than he ought to have had: I only maintain that the general interests of the community required that individuals should not have had so much as they actually obtained in that particular locality; and that the Governors I allude to were, therefore, greatly in fault, in overlooking so important a consideration.

Several of the more respectable wool-growing settlers in the Bathurst district can afford to run carriages or curricles of their own; but the expense of maintaining an equipage in New South Wales is much less than in England. This of course gives the plains rather a brilliant appearance—very different I apprehend from that of most of the back-settlements of Upper Canada; and the cottages of some of the settlers (for such is the general style of building in the interior) would do credit

to some of the more tasteful suburbs of the British metropolis. I was particularly struck with the admirable taste and even elegance displayed in the cottage and grounds of Captain Piper, a Scotch gentleman from Ayrshire, well-known in the colony, who has resided with his large family for several years past in the Australian Highlands. Captain Piper's cottage is situated on a gentle eminence to the eastward of the plains, over which it commands an extensive and highly interesting view; the prospect in front being bounded in the distance by a range of hills of moderate elevation in the western interior: indeed I do not know, that "the banks an' braes o' bonnie Doun," the well-known classical locality in the west of Scotland, so beautifully celebrated in the Doric dialect of Ayrshire by the poet Burns, can exhibit features more interesting or more beautiful than those of the Australian locality which Captain Piper has named after it\* to keep it in remembrance. I spent an afternoon at Captain Piper's during my visit to Bathurst, and I was much gratified to find that the *evening oblation* was offered up with all due solemnity, in the midst of a numerous family circle, on the going down of the sun. Shortly afterwards, when we were just about taking leave, to pursue our course across the plains to our head-quarters in the clear moonlight, a musical band, consisting entirely of a few of the farm-servants, who had each learned to play on some musical instrument, struck up a lively Scottish air under the verandah, which, I confess, was, on my own part at least, equally unexpected and animating.

\* Alloway Bank.



The sorts of wood most frequently met with in the forest-ground nearest the settlement are those designated by the colonists the white gum, the honeysuckle, the dwarf-box, and the swamp-oak : I cannot pretend to assign them their botanical names. From the lower side of the leaves of the white gum a substance of a whitish colour exudes in considerable quantity, and is found lying on the grass underneath the branches, in the dewy morning, like hoar-frost. It is called *manna* in the colony ; but whether its chemical qualities are exactly similar to those of the manna of commerce, I do not know : it is of a sweetish taste, and is by no means unpleasant ; but its relish reminds one too much of the medicine-chest to be particularly agreeable.

The openness of the country around Bathurst is rather more favourable for hunting and shooting than most other parts of the territory, with the exception of Argyle and Liverpool Plains. The kangaroo and the emu, a bird resembling the ostrich, are hunted with dogs : they are both feeble animals, but they are not altogether destitute of means of defence : in addition to their swiftness of foot, which they possess in common with the hare and the ostrich of other countries, the emu has great muscular power in his long iron limbs, and can give an awkward blow to his pursuer by striking out at him behind like a young horse ; while the kangaroo, when brought to bay by the dogs, rests himself on his strong muscular tail ; seizes the dog with his little hands or fore feet ; and, thrusting at him with one of his hind feet, which is armed for the purpose with a single sharp-pointed hoof, perhaps lays his side com-

pletely open. When hotly pursued, the kangaroo sometimes takes to the water, where, if he happens to be followed by a dog, he has a singular advantage over all other quadrupeds of his own size, from his ability to stand erect in pretty deep water. In this position he waits for the dog, and when the latter comes up close to him, he seizes him with his fore feet, and presses him under the water till he is drowned. The bustard or native turkey is occasionally shot in the Bathurst country : it sometimes weighs eighteen pounds, and it differs from the common turkey in the flesh of the legs being white, while that of the breast is dark-coloured. The quail, the snipe, the wood-duck, the black or water-duck, the curlew, the mutton-bird, and the spurwing plover also abound in the neighbourhood. At the period of my first visit to Bathurst, in the year 1826, there was a club or society in great vigour in the district, called *The Bathurst Hunt*. It was formed chiefly for the extirpation of the native dog, which was then rather troublesome in the district on account of its sheep-killing propensities ; and the members had each to appear at all meetings of the Hunt in a green coatee with silver buttons, a red vest and white under-clothing, the lower extremities being encased in top-boots. I have never been able to learn who the man of genius was who had invented a uniform sufficiently grotesque for a member of the French Institute ; but I was not sorry to learn, on my second visit, after an interval of six years, that the Hunt had died a natural death, the members, I presume, having arrived in the mean time at years of discretion.

The plain of Bathurst is upwards of two thousand one hundred feet above the level of the sea—an elevation which compensates for ten degrees of latitude, the vegetation at Bathurst being exactly similar in its character to that of Van Dieman's Land, ten degrees farther to the south. This elevation is remarkably conducive to the general health of the district, Bathurst being unquestionably the Montpelier of New South Wales. The cheeks of the children beyond the mountains have a rosy tint, which is seldom observable in the lowlands of the colony; and diseases which affect the human frame in other parts of the territory are there in great measure unknown. For persons exhibiting a tendency to *phthisis pulmonalis*, medical men consider the climate of Bathurst as perhaps the most favourable in the world, both from the mild temperature and the rarefaction of the air. A gentleman possessed of considerable property in the Bathurst district had long been a victim to an asthmatic affection in the mother country, and was so ill during his residence in Sydney, that he could not venture to go to bed, but had uniformly to spend the night leaning his head on his arms at a table: on ascending the Blue Mountains, however, he found, to his great surprise and delight, that the distressing affection had completely left him. He resided for several years in perfect health in the Bathurst district; but in occasionally coming to Sydney on business, he found that the affection uniformly returned when he reached a certain level in descending towards the low country on the coast. As the presence or absence of the asthmatic affection did not depend in the

least on the state of the weather, the case can only be accounted for from the greatly diminished denseness of the atmosphere on the elevated table-land of the western interior. In short, I am inclined to believe that there is no country on the face of the globe so well adapted for the residence of persons either suffering under, or threatened with, affections of the lungs, or for the refitting of shattered India constitutions, as the district of Bathurst in New South Wales. The climate of Argyle, however, and of the high land generally to the south-westward, is exactly similar to that of Bathurst, and, of consequence, equally salubrious.

The direct distance from Sydney to the town of Wollongong, in the district of Illawarra, or, as it is frequently called, *the Five Islands*, from five small islands on that part of the coast, is not greater than forty-five miles; and the communication with the capital, except for travellers, is managed chiefly by water: but as the intervening country is intersected by numerous ravines, as well as by several arms of the sea, the road to Illawarra describes two sides of an equilateral triangle, of which the coast line forms the base—running for a certain distance to the south-westward, and then suddenly breaking off eight points to the south-eastward after heading the ravines. The distance by land is therefore about seventy miles, the road passing through the towns of Liverpool and Campbelltown.

The road to Liverpool, which is twenty miles distant from Sydney, turns off to the left from the road to Parramatta, about five miles from the capital. It is



exceedingly uninteresting; the country on either side being a dense forest, and the soil for the most part poor and unproductive. The patches of cultivated land which are fallen in with on the Liverpool road are chiefly in the vicinity of public-houses—and these are by no means few in number—by the way-side. The town of Liverpool is situated at the head of the navigation of George's River, which empties itself into Botany Bay, and forms the grand thoroughfare for the extensive country to the southward and westward. The chief object of attraction which it exhibits is a handsome hospital, erected during the government of Sir Thomas Brisbane, which ought certainly never to have occupied such a locality. Indeed, the convenience of the public seems to have almost uniformly been the last thing considered in the erection of such edifices in New South Wales. A plain temporary wooden building, that could easily have been erected at an insignificant cost, would have been of incalculable benefit as a district hospital to an extensive neighbourhood in the colony: and if a colonial surgeon had been appointed to visit two or three such hospitals—each situated in the centre of its own district—the health of the colony would have been much more effectually secured, than by erecting an extensive and costly edifice in a distant and inconvenient locality: for the Liverpool Hospital, intended for an extensive tract of country to the south-westward, and the Newcastle Hospital, intended for the extensive district of Hunter's River, are each as preposterously situated for the purposes they were respectively intended to serve, as the Custom-House in the British metropolis,

which is intended chiefly for the shipping on the Thames, would have been, if it had been erected at the distance of fifteen miles out of London on the Great North Road. And the reader is not to suppose that the evil in the cases I have just mentioned has been merely imaginary, or is objectionable only on the score of inconvenience and expense ; for unfortunate individuals, of the class of assigned servants or convict-labourers, have actually died on their way to these hospitals, merely from exposure to the hot sun, perhaps for two or three days together, on a bullock-cart.

The distance from Liverpool to Campbelltown is thirteen miles ; and along the whole intervening line of road there are neat cottages at irregular intervals belonging to respectable resident proprietors, the appearance of which greatly enlivens the scenery. In the immediate neighbourhood of Campbelltown, the country, which consists of a succession of hills and dales, has much more of an English aspect than most other parts of the territory, and the proportion of cleared land is very considerable ; Campbelltown having been the centre point to which the efforts of Governor Macquarie were long and systematically directed, in attempting to form a race of small farmers out of the emancipated convict-population of the colony. The district of Campbelltown, however, is unfortunately situated in regard to water ; the soil of the surrounding country being strongly impregnated with alum, which renders the water brackish. But the evil is not without remedy ; and a substantial proprietor in the neighbourhood, Mr. Thomas Rose, of Mount Gilead, has deserved well of the colonial public in

demonstrating the efficacy of that remedy, and the practicability of its general application. In the neighbourhood of Campbelltown, and in many other parts of the colony, the country is intersected by numerous water-courses, which in rainy seasons contain running streams of considerable size, but which are quite dry at all other times. Across one of these water-courses, Mr. Rose formed a strong embankment sufficiently broad at the surface to serve the additional purpose of a cart-road from bank to bank. The result has equalled his highest anticipations: the embankment has permanently dammed up a large quantity of water of excellent quality, sufficient to afford an abundant supply at all seasons for his farming establishment, besides forming an ornamental sheet of water in the vicinity of his residence. Water dammed up in this way, or even collected in large basins formed for the purpose, is not liable to become putrid in New South Wales, as it frequently does in similar circumstances in Great Britain. There are many farms in the colony that have no other water than what is thus collected from the surface during heavy rains in natural basins or *water-holes*, as they are called by the colonists; the water in such holes or basins remaining pure and wholesome to the last drop. It would be difficult to account for the formation of these natural basins or reservoirs, some of which are of great depth, and have more the appearance of artificial than of natural productions; but their existence in all parts of the territory is a blessing of incalculable value to the colonial community.

About three miles beyond Campbelltown to the right

is the dairy-farm or estate of Glenlee, to which I have elsewhere alluded. There is a large extent of cleared land on the Glenlee estate, the greater part of which has been laid down with English grasses, the paddocks being separated from each other by hedges of quince or lemon-tree—the usual but seldom-used colonial substitutes for the hawthorn. The country is of an undulating character, and the scenery from Glenlee House—a handsome two-story house, built partly of brick and partly of a drab-coloured sandstone—is rich, and most agreeably diversified. On the opposite bank of the Cow pasture River, which forms the boundary of Mr. Howe's estate, is the much more extensive estate of Camden, the property of the late John Macarthur, Esq., and one of the largest and best-conducted establishments in the colony. Indeed, Mr. Macarthur's family deserve the highest credit for the highly judicious mode of treatment they have uniformly pursued towards the numerous convict-servants on their estate, and for the interest they have uniformly taken in promoting their comfortable settlement on their attainment of freedom. The Messrs. Macarthur, Jun., who are both magistrates of the territory, have lately erected a splendid mansion on the Camden estate, and their extensive gardens are a model to the colony. The vineyard at Camden is the most extensive and the most forward in the country. There are many other estates, however, besides those I have just mentioned, belonging to respectable resident proprietors in this part of the colonial territory; and I know no part of the world, in which families of moderate capital, and pos-



sessing ability to manage their affairs with the requisite discretion, could more easily assemble around them a large proportion of the comforts, I might even add the elegancies and the luxuries, of rural life.

From Campbelltown to Appin, a distance of eleven miles, the country continues to exhibit the same pleasing appearance of fertility, and the proportion of cleared and cultivated land continues very considerable. About six miles from Campbelltown to the left of the road is Brookdale cottage, the residence of Hamilton Hume, Esq., a Scoto-Australian, whom I have already had occasion to mention, and to whom the colony is under considerable obligations. The natives of New South Wales are noted for their ability to find their way in the forest, in places where the most sagacious European would be in the utmost danger of being irrecoverably lost; and Mr. Hume possesses this quality of his countrymen in a superior degree, conjoined with a singularly enterprising spirit and indomitable perseverance. It was this gentleman who first ferreted his way, through a series of miserable jungles and across rugged and unpromising ravines, to what is now called *The New Country*, or the district of Argyle; and I have already mentioned, that he has since reached Bass's Straits, in company with Mr. Hovell, a respectable settler in the same vicinity, by crossing the country to the southward. Mr. Hume uses neither compass nor quadrant; but, like the Indians of America, he manages to find his way through the forest to any particular locality with a precision often unattainable by those who are most skilful in the use of both. Mr. Hume is de-

scended from one of the collateral branches of the ancient and noble family of the same name, to which the dormant earldom of March on the Scottish border anciently belonged.

The remainder of the old route to Illawarra is still a mere bush-road, the regular Government road, on which a gang of convicts have been employed for some time past, being not yet completed. For many a long mile from Appin the country is exceedingly sterile and uninteresting; but, on gaining the summit of the Illawarra Mountain—a lofty and precipitous range running parallel to the coast, and supporting the elevated table-land to the westward—the view is indescribably magnificent: for all at once, the vast Pacific Ocean, stretching far and wide to the eastward, bursts upon the view, while almost right under foot it is seen lashing the black rocks that form its iron boundary to the westward, like an angry lion lashing the bars of his cage with his bushy tail, or dashing its huge breakers on the intervening sandy beaches in immense masses of white foam, and with a loud and deafening noise. In short, after the long and uninteresting ride from Appin, the scenery from the summit of the Illawarra Mountain is overpoweringly sublime.

The district of Illawarra consists of a belt of land inclosed between the mountain and the ocean, increasing in breadth to the southward, and, though generally thickly wooded, for the most part of exuberant fertility. The descent of the mountain, which is probably about fifteen hundred feet high, is the most precipitous I have seen used in the colony for a road, and horses that are

unaccustomed to the route betray the utmost unwillingness to proceed in certain parts of it. The rider uniformly dismounts at the top of the mountain, and precedes the horse, holding the end of the bridle in his hand; but on reaching any part of the descent more than usually steep, the horse occasionally stops short from absolute fear, and the rider has actually to pull him down by the bridle at the risk of his rolling over him.

I had occasion to visit the district of Illawarra along with my brother, who had never been in that part of the colony before, in the month of May, 1836. After leaving the stage-coach at Campbelltown, thirty-three miles from Sydney, we were detained for several hours before we could procure horses for the remainder of our journey, and it was consequently quite dark ere we reached the summit of the Illawarra mountain. We attempted the descent, however, in the darkness; but after having got down a little way, we found it too hazardous to proceed, and were accordingly obliged to spend the remainder of the night, which was extremely cold, on the mountain, sitting at the roots of trees with our horses' bridles in our hands.

There is a resting-place for travellers ascending the mountain, about half-way up, called *the big tree*: it is a dead tree of immense size, the internal parts of which have been consumed by fire, although it is still of about a hundred feet in height. My fellow traveller and myself entered into the hollow, into which there is an entrance on one side as wide as a church-door, with both our horses; and, although the latter were both of

the largest size of riding horses in the colony, I perceived that there was room enough for a third rider and his steed. My fellow-traveller told me, indeed, that on a former journey he had actually been one of three horsemen, all of whom had, together with their horses, been *accommodated* within the *big tree* at the same time.

The vegetation of the district of Illawarra is very peculiar, and has more of a tropical character than that of other districts in the colony considerably farther to the northward. This may arise partly from its being sheltered from the cold westerly winds of the winter months, by the mountains that run parallel to the coast. I presume, however, it is owing chiefly to the nature of the soil, the district exhibiting various indications of a volcanic origin. The peculiarity I have just mentioned is observable even on the mountain, where the rich variety of the vegetation contrasts beautifully with the wildness of the scenery; the fern-tree shooting up its rough stem, of about the thickness of the oar of a ship's long-boat, to the height of fifteen or twenty feet, and then suddenly shooting out a number of leaves in every direction, each of four or five feet in length, and exactly similar in appearance to the leaf of the common fern or *braken*; while palms of various botanical species are ever and anon seen shooting up their tall slender branchless stems to the height of seventy or a hundred feet, and then forming a large canopy of leaves, each of which bends gracefully outwards and then downwards, like a Prince of Wales's feather, the whole tree strongly resembling a Chinese



mandarin's umbrella. Baron Hugel, an Austrian nobleman, who resided for some time in New South Wales during the year 1834, devoting himself to scientific researches, observed that the scenery and vegetation of the district of Illawarra strongly reminded him of scenes he had visited in the interior of Ceylon.

The species of palm most frequently met with in the low grounds of Illawarra is the fan-palm or cabbage-tree; and in some parts of the district there are grassy meadows, of fifty to a hundred acres in extent, quite destitute of timber, and surrounded with a border of lofty palms of this most beautiful species. Another species of palm, abounding in the district, and equally graceful in its outline, is called by the black natives the *Bangolo*. The cedar of Illawarra I have already mentioned; the nettle-tree, which is also met with in the *brushes*, is not only seen by the traveller, but occasionally felt and remembered, for its name is highly descriptive; and the sassafras with its odoriferous bark abounds in the jungles. The lofty *eucalyptus* and the iron bark-tree, the swamp-oaks and the weeping mimosas of the other parts of the territory, abound also at Illawarra; and the undergrowth of wild vines, parasitical plants, and shrubbery, is rich and endlessly diversified.

From the estate of Bullai, which is now the property of Captain Westmacott, aide-de-camp to His Excellency Sir Richard Bourke, and is beautifully situated at the foot of the Illawarra mountain, the distance to the town of Wollongong is nine miles. The path usually followed by travellers on horseback is along the beach,

as near the water as possible, the wet sand being as hard and firm as a turnpike-road. I found it very awkward, however, to pursue this path with the young spirited horse from the interior which I rode on my last journey but one to Illawarra; for as the sea was breaking heavily on the beach, it left him ever and anon, to his great alarm, up to the ankles in white foam; and I was therefore obliged occasionally to wade through the dry sand beyond the tide-mark, or to strike into the forest.

There are a few respectable settlers in the neighbourhood of the thriving village of Wollongong, which is well situated on the sea-coast on an indifferent harbour, capable, however, of great improvement; but the majority are of a humbler order. It is evident, however, from the natural fertility of the soil, that the district is capable of affording both employment and subsistence to a numerous agricultural population; and as the pasture at Illawarra is generally deemed less favourable for the rearing of sheep and cattle than that of the more elevated lands of the colony, it is evident that the formation of an agricultural population was just the purpose to which the district ought to have been appropriated, and for which indeed its immediate vicinity to water-carriage might have proclaimed its peculiar adaptation to incapacity itself. It is mortifying, however, to observe, at every step in the colony of New South Wales, fresh evidences of an entire want of foresight on the part of the former rulers of the colony, or rather of a most unjustifiable disregard of the best interests of the community: for, instead of reserving the fertile tracts

of Illawarra for the settlement of industrious families of the humbler classes of society, on small farms of thirty to fifty acres each, to cultivate grain, roots, vegetables, fruit, vines, and tobacco, and to rear pigs and poultry for the Sydney market ; the land in this district has in great measure been granted or sold off by the former Governors to non-resident proprietors, in tracts varying from two thousand to five thousand acres each. These proprietors will naturally suffer their land to remain in its present wild and uncultivated state as mere *cattle-runs*, till the increase of the population of the colony, and the extension of steam-navigation along the east coast from Moreton Bay to Cape Howe, shall have rendered every acre ten times more valuable than it is at present.

Nature, or rather the God of Nature, evidently intended that the territory of New South Wales should become a pastoral country, and be devoted in great measure to the rearing of sheep and cattle : but there are particular localities on its extensive surface equally well adapted for the pursuits of agriculture ; and it was therefore the bounden duty of the colonial government, in time past, to have reserved such localities for the settlement and use of its agricultural population. There are sheep and cattle stations already from four to five hundred miles from Sydney, and the proprietors of the stock at these stations experience little or no inconvenience from the distance ; but it would be ruinous for an agriculturist to cultivate grain or potatoes for the Sydney market at one-third of that distance over-land : it was therefore impolitic in the highest degree to

alienate so large a portion of the fertile land in the district of Illawarra, in the inconsiderate manner I have described. Nay, so much superior was the land in that district considered by agriculturists of the humbler classes in the colony, to land of fair quality in certain other parts of the territory, that during the years of drought there were instances of persons of this class actually abandoning the land which they had cleared and cultivated, and of which they possessed the freehold in other districts, to cultivate a few acres on lease in the district of Illawarra: for, independently of the inestimable advantage of water-carriage and the natural fertility of the soil, the vicinity of the ocean ensures a more frequent supply of rain in that district than usually falls to the lot of other parts of the territory; while the range of mountains, by which it is bounded to the westward, shelters it from the blighting winds that proved so fatal to the crops of 1828, on the Hawkesbury and at Hunter's River.

It was Saturday morning before I could leave Illawarra for Sydney; and my fellow-traveller and myself proposing to reach Liverpool, a distance of upwards of fifty miles, in time for the afternoon coach to Sydney, we mounted our horses long before daybreak, and rode towards the beach. It was quite dark, and it rained heavily; and our horses being frightened at the rolling of the white surf on the sea-beach, we were tempted to try the road through the forest; but, unfortunately, lost both our time and our way. The rain fell in torrents as we scrambled up the Illawarra mountain, sometimes on all-fours; and we were consequently completely



drenched ; but on reaching the summit, it became fair ; and we again rode at a brisk pace towards Appin, where we halted for rest and refreshment. The next twenty-four miles to Liverpool, our high-spirited Australian horses, apparently in no way fatigued with their long morning's stage, enabled us to complete in two hours and a half ; but we were not a little disappointed to find, on arriving at Liverpool, that we had been at fault in our calculations, and that the coach had started a short time before. As I had to perform divine service, however, on the following day, we resolved to proceed to Sydney after giving our horses a few hours' rest at the inn, and accordingly resumed our journey late in the evening, when it had again become quite dark. In moving at a slow pace through the gloomy forest, the glorious constellations of the southern firmament gradually gleamed more and more brightly as the hour of midnight approached ; and as the outline of the beautiful Magellan clouds appeared more distinctly marked than usual on the heavens, I could not help thinking, with a feeling of intense awe, of the inconceivable majesty of that mighty Being, who could direct the motions of each invisible star in these vast conglomerations of worlds, and attend to the minutest concerns of each of their myriads of inhabitants, without losing sight for a single instant of an insignificant mortal wandering at midnight through the dark forests of Australia. The clock at the Carters' Barracks—an establishment in which convict-boys were formerly taught mechanical employments—struck one on the Sabbath morning as we passed through the Sydney

turnpike : we had consequently to pay double toll for travelling on Sunday. We were happy, however, to find ourselves at the termination of our journey, after a long and fatiguing ride of upwards of seventy miles.

## CHAPTER IV.

GEOLOGICAL FEATURES OF THE COLONY, WITH  
REMARKS ON ITS CLIMATE AND DISEASES.

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Morborum quoque te causas et signa docebo.

VIRGIL, Georg. III.

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PROFESSOR BLUMENBACH, of the university of Göttingen, has somewhere given it as his opinion, that the vast continental island of New Holland was originally a comet, which, happening to fall within the limits of the earth's attraction, lighted at length upon its surface. So tremendous a concussion as this would have infallibly produced, would doubtless have been sufficient to have occasioned *the waters of Noah* ; but then the reflux of these waters, or the rolling back of the vast diluvial wave over the Blue Mountains of Australia, would have drowned the whole outlandish family of kangaroos and ornithorynchi ; for whose benefit, I presume, the bold hypothesis of the learned professor was partly, if not especially, invented.

There are certain points, however, connected with the physical conformation of the southern hemisphere, of which the hypothesis of the Hanoverian professor would

doubtless afford a convenient explanation. It would account for the disappearance of the *Terra Pacifica*, or Great South Land, of which, according to certain theorists, the South Sea Islands are merely the tops of the ancient mountains; the intervening plains and valleys having been submerged *full many a fathom deep* beneath the impetuous surges of the boundless Pacific.\* Again, were a ball of soft clay thrown violently on a hard pavement, just as Professor Blumenbach supposes his comet to have been thrown violently on the hard surface of the earth, it would not only be flattened into a sort of cake, but the parts towards the centre would be depressed, while those towards the circumference would be elevated or heaved up. Now it cannot be denied that this is just the form which the Australian continent has actually assumed, in whatever manner that peculiar conformation may be supposed to have originated. The eastern coast has apparently been elevated or heaved up by some violent convulsion of nature: hence the circuitous course of the rivers in that part of the continent, and the liability of the country they water to inundations; while the waters that run to the westward spread themselves over extensive marshes in the low grounds of the western interior, from whence they are again conjured up to the higher regions of the atmosphere by the process of evaporation.

\* "La plupart de ces isles ne sont en effet que des pointes de montagnes: et la mer, qui est au delà, est une vraie mer Méditerranée." Buffon. The great French naturalist referred in these expressions to the West India Islands and the Carribean Sea; but the same idea has been entertained by other philosophers in regard to the numberless groups of Polynesia.



The eastern coast of New Holland, from Bass's Straits to the nineteenth degree of south latitude, presents a range of mountains running parallel to the coast, and consisting, with scarcely any exceptions, of vast conglomerations of sandstone. There is no granite to be found in masses near the coast for an extent of twelve hundred geographical miles: at the nineteenth parallel of south latitude, however, the country assumes a different appearance; and a chain of lofty granitic or primitive mountains of various elevation, forms the barrier towards the ocean till the fourteenth parallel of south latitude, or for a distance of three hundred geographical miles. At the latter of these points the sandstone again resumes its reign, and the land gradually dips till it loses itself in the sea to the northward. From the twenty-fifth degree of south latitude, coral reefs extend along the east coast to Torres's Straits, a narrow passage varying from ten to twenty-five miles in breadth intervening between them and the land. This passage, however, is so intricate, that vessels bound to the northward within the reefs have to cast anchor every night. They are steered by the eye, and a man is constantly stationed at the topmast-head to give notice of breakers on the coral reefs to the right or left.\*

\* The following passage illustrative of the geology of the east coast of New Holland in the neighbourhood of Port Jackson, is extracted from a paper read before the defunct Philosophical Society of New South Wales, by Alexander Berry, Esquire, Member of the Legislative Council of the colony:—

“ The line of coast presents in general an aspect of bold perpendicular cliffs of sandstone, lying in horizontal strata. These cliffs, however, are occasionally interrupted by sandy beaches, behind which the country is

The western coasts of all the large divisions of land in the southern hemisphere are remarkably barren and

low and flat, the high land appearing to retire considerably. On a near inspection these spaces now occupied by sandy beaches seem at no very remote period to have formed the entrance of bays and of arms of the sea. In many places they are even now so partially filled up, that we still find extensive salt-water lagoons separated from the ocean only by a bank of sand, through which the water yet occasionally forces a passage. The strata of sandstone consist of beds lying one upon the other in the most regular manner, so that they have evidently never undergone any deviation from their original relative situation. It is true that the beds are not invariably strictly horizontal, but this arises perhaps from a gentle yielding of the sub-strata. Some of these beds, although perfectly horizontal, and of regular thickness, consist of thin laminae, which incline at a considerable angle to the north-east. This sandstone may generally be called silicious: it is rarely argillaceous; chiefly in this state over coal: it is then soft and very decomposable. Among the coal measures we occasionally meet thin beds of what may be called calcareous sandstone.

“ The country immediately to the south of Hunter’s River is (as is well known) an extensive coal-field. The cliffs on the sea-shore present a most interesting section of the coal-field strata. There, in one day, more information may be obtained than in other places in many years. I traced the strata for nine miles, when they abruptly terminated by suddenly bending downwards, and sinking below the level of the sea. From this place a long sandy beach and low land extend to the entrance of Lake Macquarie (called also Reid’s Mistake). The south head of Lake Macquarie rises into high cliffs, in which the coal strata again present themselves. Dr. Hutton would have given much for a single day’s walk along this shore. Here we see at one glance the progress of some of the most interesting operations of nature—the work of many ages. It appears as if the crust of the earth had been broken, and a bold and regular section forced upwards, and presented to our examination. Between the coal-beds we find strata of sandstone, and beds of slate clay with vegetable impressions;—sometimes (but more rarely) indurated clay-stone. Embedded in these strata there is found abundance of argillaceous iron ore: this is occasionally cellular and in layers, but for the most part it appears in the form of petrifications of trees and branches irregularly dispersed. Near the southern termination of the coal-field (that is, where I have mentioned its sinking beneath the level of the sea,) two large

unpromising in comparison with the eastern. That of New Holland is as sterile and uninviting as it is possible

beds gradually approach, and at length meet. They do not however incorporate, but run parallel; and at this place there is a mass of highly indurated pudding-stone, which reaches from the surface of the coal to the top of the cliff. The coal-cliff abruptly terminates at the entrance of Hunter's River, then forming what is called Coal-head. On the north side of the river a sandy beach and low land extend to the vicinity of Port Stephens.

"The coal is decidedly of vegetable origin: the fibre of the wood is often quite distinct.

"The vegetable impressions in the slate-clay under and over the coal are no less worthy of an attentive consideration. I have seen some of these subterranean plants in full flower, so that a skilful botanist might ascertain even their species. I think that I have been able distinctly to recognise the leaf of the *lamia spiralis*.

"I afterwards found by examining the ravines, that the sandstone strata extended from the sea-coast to the river Nepean on the west. In many of these ravines I found indications of coal, viz. coal-field schistus, with vegetable impressions, argillaceous iron ore, the same calcareous stone formerly indicated, and even fragments of coal. Through that extent of country the sandstone seems to spread like a level platform; and although the country rises in hills and ridges, these seem to consist of a mass of clay, the surface of which has been worn into inequalities by the action of water. Consequently the higher portions, which contain most of the original soil, are more fertile than the bottoms of the valleys, unless these have been covered by alluvial depositions. This clay is generally at the surface red, and impregnated with iron: in some places, however, it is white and saponaceous, appearing under the form of beautiful pipe-clay; and I have seen this white clay contain nodules of calcareous stones resembling stalactites, and evidently formed by aqueous deposition. At the depth of a few feet, it generally assumes the appearance of schistus, impregnated with sulphate of alumina and sulphate of iron.

"Beyond the Nepean River the sandstone strata are forced upwards, and extend from north to south, forming the range of hills known in the colony by the name of the Blue Mountains. Towards the north, these mountains are sterile and rugged. Towards the south, however, the sandstone is in many places covered or displaced by whin-stone, which

for land to be, with the exception perhaps of the vicinity of Swan River : nothing is visible along the coast but one interminable range of low sand-hills and calcareous rocks : there are no mountains to relieve the eye, and to afford, by the decomposition of their luxuriant vegetation, a rich soil for the valleys : there are no rivers to conduct to the interior : scarcely even a spring of fresh water can be found to recompense the voyager for the trouble of landing : but the west coast of Southern Africa, the west coast of South America, and the west coast of New Zealand, are, with few exceptions, equally barren.

In travelling to the westward on the parallel of Port Jackson, granite is found in masses at the distance of a hundred miles from the coast, and the country consequently assumes a different and much more interesting appearance. I have already noticed the striking resemblance which the elevated plain of Bathurst exhibits in its general outline to that of a large lake or inland sea. There are indications, however, still less equivocal, of its having at some former period been the place of the rolling of waters. There are various knolls or elevations along its eastern margin, consisting chiefly of innumerable pebbles of quartz, rounded apparently by the action of water in rapid currents or waves.

sometimes assumes the form of common, at other times of porphyritic trap. In the latter state it shows itself throughout the verdant, well-watered, and very desirable pastoral district of Argyleshire. In this country, wherever the soil lies upon sandstone, we find it consisting of the common Australian clay : over the whin-stone, again, it invariably consists of light black mould. On advancing farther to the south, both granite and primitive lime-stone are found."



The high land to the south-westward of Sydney consists of ranges of lime-stone hills, perforated in all directions with extensive subterranean caverns, exactly similar, both in character and stalactitic adornment, to those that are uniformly found in regions of a similar formation both in Europe and America. The lime-stone formation occurs also to the north-westward of Sydney, at the head of William's River; and a series of the caves I have just mentioned has been discovered in the lime-stone cliffs that form the banks of the river Macquarie, at the settlement of Wellington Valley, about two hundred miles to the westward of Sydney. In one of these caves, George Ranken, Esq. of Bathurst, discovered a quantity of fossil bones, which he entrusted to my care for the Museum of the University of Edinburgh, on my embarking for England in the year 1830. I happened to be the first person in Sydney to whom Mr. R. showed the bones; and perceiving the great importance of the discovery, as it regarded the general interests of science, I endeavoured to direct the attention of the colony to the subject in an anonymous letter, which was published at the time in one of the colonial papers, and was afterwards republished by Professor Jameson, in the New Edinburgh Philosophical Journal for 1831. The bones were forwarded by Professor Jameson to a Member of the Royal College of Surgeons, in London, who afterwards transmitted the largest and most remarkable in the collection, for farther examination, to the late celebrated M. le Baron Cuvier of Paris, by whom it was ascertained to have been the thigh-bone of a young elephant. Professor Blumenbach's comet has

thus been ascertained to be of equal antiquity, and in all likelihood of kindred origin, with the ancient continents of Europe, Asia, Africa, and America, whose right to their present position on the earth's surface has never been disputed. The huge elephant has in some former age traversed the plains of Australia, for his bones are found occupying the same common receptacle with those of the singular didelphis family, whose lively representatives—the kangaroos and opossums of the present day—have long outlived the last of his race, and still occupy the ancient land of their joint inheritance. If the learned professor, however, would do the scientific world the favour to pay a visit in person to

Penitus toto divisos orbe Britannos,

*the British colony inhabiting the stranded comet at the extremity of the globe*, I doubt not but he would discover many an important fact, relative to the past history and the actual conformation of that interesting portion of the earth's surface, which the lesser lights of Australian science are insufficient to elicit.

The mineralogy of New South Wales is doubtless rich and various, though as yet in great measure unknown. Coal and iron, the most valuable of minerals, are met with in inexhaustible abundance, the latter being not unfrequently found in the state of native iron in large detached masses on the surface of the ground. Lime-stone is still more abundant, and in some parts of the territory, as in Argyle, it passes into marble, of which beautiful specimens have already been cut and

polished by a skilful artisan from London, now established in Sydney. In one part of its course, Hunter's River flows for a considerable distance over rocks of jasper; and beautiful agates, opal, and chalcedony, besides innumerable petrifications, are found on its banks. On several parts of the coast, as well as in the distant interior, there are evident traces of volcanic action; but Mount Wingen, in the upper part of the district of Hunter's River, is the only burning mountain within the present limits of the colony. There is no crater, however, on Mount Wingen; no unearthly explosions are heard in its neighbourhood; there is no perceptible ejection of lava from the overcharged stomach of the mountain. From innumerable cracks and fissures on its surface, a sulphureous flame, scarcely visible in the day time, but discernible at a considerable distance at night, issues with a steady but by no means powerful blaze; leaving it still problematical, whether the phenomenon should be ascribed to volcanic action, or to the accidental ignition of some subterranean stratum of bitumen or coal.\*

\* The following is an account of two visits to Mount Wingen, in the years 1830 and 1831, by the Rev. C. P. N. Wilton, A.M., chaplain at Newcastle, Hunter's River:—

“Mount Wingen is situated on the south-eastern side of the dividing range which separates the lands of Hunter's River from Liverpool Plains, in latitude  $31^{\circ} 54'$  S., longitude  $150^{\circ} 56'$  E.; and the elevation of the portion of it under the process of combustion cannot be less than one thousand four hundred to one thousand five hundred feet from the level of the sea. At the period of my first visit, in the beginning of last year, this comprehended parts of two declivities of one and the same mountain, composed of compact sandstone rock. The progress of the fire had previously been down the northern and highest elevation, and it

The great extent of coast-line towards the Pacific Ocean, and the various elevation of different parts of

was then ascending with great fury the opposite and southern eminence. From the circumstance of its being thus in a hollow between two ridges of the same mountain, a former visiter was probably induced to give the clefts in the mountain the appellation of a crater; but the fact is, the rock, as the subterraneous fire increases, is rent into several concave chasms of various widths, of which I had an opportunity of particularly examining the widest. The rock, a solid mass of sandstone, was torn asunder about two feet in width, leaving its upper and southerly side exposed to view, the part so torn asunder having slipped down, as it were, and sunk into a hollow, thus forming the concave surface of the heated rock. On looking down this chasm, to the depth of about fifteen feet, the sides of the rock were perceived to be of a white heat, like that of a lime-kiln; while sulphureous and steamy vapours arose from the aperture, amidst sounds, which issued from a depth below, like blasts from the forge of Vulcan himself. I stood on that portion of the rock which had been cleft from the part above, and, on hurling stones down into the chasm, the noise they made in the fall seemed to die away in a vast abyss beneath my feet. The area of the mountain over which the fire was raging was about an acre and a half in extent. There were throughout it several chasms varying in width, from which are constantly emitted sulphureous columns of smoke, accompanied by brilliant flame; the margins of these being beautified with efflorescent crystals of sulphur, varying in colour from the deepest red-orange, occasioned by ferruginous mixture, to the palest straw colour, where alum predominated. A black, tarry, and lustrous substance—a sort of bitumen—abounded on the edges of these cliffs. Specimens of this were with difficulty obtained from the intense heat under foot, and the suffocating quality of the vapours emitted from the chasms. No lava or trachyte of any description was to be met with; nor was there any appearance of coal, although abounding in the vicinity. The mountain has evidently been on fire for a great length of time; several acres of the part now under combustion, on which trees are standing of a great age, having, as it were, been steamed, and many of the stones upon it bearing the marks of vitrification. The fire is still raging, and will probably continue to do so with increasing fury. Materials from beneath from time to time become ignited, whether by electricity or other unknown cause, and the expansive powers of the heat and steam shiver and split into huge



the interior, ensure a considerable variety of climate in different parts of the colony. I have already noticed

masses the solid rock of sandstone, and thus form continued chasms. The sulphureous and aluminous products of the mountain have been successfully applied in the cure of the scab in sheep.

“ The fire, since the period of my former visit, had, I found, been by no means inactive, having extended over a surface exceeding two acres, and was now raging with increased fury up the eminence to the south and south-south-west, and also on the hitherto extinct portion of the mountain—the northern elevation. There were still most splendid crystals of sulphur on the margins of the most extended crevices, where the fire was burning with a white heat, and of ammonia on those of the less; from both of which suffocating fumes were incessantly evolving. The fire continued roaring beneath, and stones thrown down into the chasms resounded to a great depth in an interior abyss. The scene of disruption, the rocks of solid sandstone cleft asunder, the innumerable fractures made on the surface, the falling in of the strata, the half-consumed, prostrate trunks of trees, and others only awaiting the slip of the rock beneath them to fall in their turn, the pernicious vapours rising around amidst the roaring of the internal fires, and the white and red heat of the burning crevices, present an appearance on which the beholder cannot fail to gaze with wonder, and at the same time to lament his inability to account with any degree of certainty for the first natural cause of the spectacle before him.

“ At a little distance from the burning portions of Wingen, I picked up several amorphous specimens of carnelion, white, pinkish, and blue; angular fragments of ribbon and fortification agates, and balls of agate, some of them filled with crystals varying from the size of a pea to that of a hen’s egg, and others of a blueish white and clouded colour, having spots of white dispersed throughout them, which, if cut and polished, would present a very beautiful variety of this mineral. Mount Agate also, in the neighbourhood of Wingen, presented me with some fine specimens, as well of agate, (fortification and ribbon occurring in the same specimen,) as of fragments of white and blueish carnelion; and had not the grass on the mountain been so long and thick as it proved to be, I should doubtless have collected much finer.

“ Several of the agates collected from Mount Wingen upon examination were found to have their surfaces crusted over with iron, some of those from Mount Agate with native copper, while others from the same

the superior salubrity of the climate of Bathurst and Argyle. In both of these districts, snow—which is

locality presented a most beautiful auriferous appearance. On Mount Wingen we found, within but a few yards of that portion of it which is now under combustion, the cast of a bivalvular fossil shell in sandstone, a species of *terebratula*. Other similar specimens have been met with in another part of the mountain. Only two specimens of organic remains of the nature of petrified bone have hitherto been discovered in the neighbourhood of Mount Agate; viz. the sacrum of some large animal on the Holdsworthy Downs, and the second cervical vertebra of another, about ten miles west from Merton: but in neither instance was the petrification embedded in the subjacent strata, but merely lying on the surface of the soil; and therefore most probably contemporary with the petrified wood, which is found scattered very abundantly over this tract of country. Near the chain of the Kingdon Ponds, forming one of the sources of the Hunter, and rising in the dividing range a few miles N. by W. from Mount Wingen, are stumps of trees standing upright in the ground, apparently petrified on the spot where they formerly grew. In some places the wood is strongly impregnated with iron. About three miles along the coast south of Newcastle in an upright position, at high water mark under the cliff, and beneath a bed of coal, was also lately found the butt of a petrified tree, which, on being broken, presented a fine black appearance, as passing into the state of jet; and on the top of the cliff at Newcastle on which the telegraph stands, embedded at about a foot beneath the surface, lying in a horizontal position and nearly at right angles to the strata of the cliff, the trunk of another finely grained and white—both specimens being traversed by thin veins of chalcedony. The coal which is exposed to view on the face of the cliffs is of the independent formation, and appears to run generally in three parallel horizontal beds; but in some places with a varying dip. It alternates in one part of the cliff with slaty clay, sandstone, and shale, with impressions of leaves; at another with mill-stone grit, and a hard chertzy rock. Nodules of clay iron-stone, and trunks and stems of arundinaceous plants in iron-stone, are seen in abundance in the alternating strata of the cliff: and in one place a narrow bed of iron-stone bearing impressions of leaves is remarkable; while thin laminæ of the same mineral, the surface of which is traversed by square and variously shaped sections, are seen on several parts of the shore, both in the face of

never seen in the lowlands of the colony—is frequent in winter, though it seldom lies long on the ground ; and the cold during the night is often intensely severe.

For eight months during the year, viz. from the first of March to the first of November, the climate of New South Wales—which, throughout the whole year, indeed, is at least equal, if not superior, to that of any other country on the face of the globe—is peculiarly delightful. The sky is seldom clouded ; and day after day, for whole weeks together, the sun looks down in unveiled beauty from the northern heavens. In ordinary seasons, refreshing showers are not unfrequent ; but although there are no periodical rains in the colony, as in the torrid zone, it sometimes rains as heavily as it does within the tropics. It seldom freezes in Sydney, and never snows ;\* but fires are requisite during the day in the winter months, and for a considerable time longer in the mornings and evenings.

The Australian summer extends from the first of November to the first of March : during this period the heat is considerable, but very rarely oppressive ; the thermometer seldom rising higher in Sydney than 75° of Fahrenheit. There is generally a sea-breeze during the day in the summer months, commencing about ten o'clock in the forenoon, and dying away about four in

the cliff parallel with the beds of coal, and extending into the sea, forming the strand at low water.”—*Abridged from the Australian Almanack.*

\* There was a shower of snow in Sydney on the 17th of June, 1836,—the first that had ever fallen in that part of the colony. The younger natives of the colonial capital, who had never seen any thing of the kind before, called it *white rain*.

the afternoon. This breeze, which usually blows pretty fresh, and the immediate vicinity of the ocean, have so powerful an influence on the temperature of the coast, that it is generally ten degrees hotter at Parramatta during the summer months, and ten degrees colder in winter, than it is in Sydney. But although it is occasionally hotter in summer than the average temperature I have just mentioned, the mornings and evenings are uniformly delightfully cool.

The most singular phenomenon in the meteorology of New South Wales is the occasional prevalence of hot winds from the north-westward. These winds occur on an average about four times every summer, and blow from twenty-four to thirty-six hours each time, the atmosphere all the while feeling like a current of heated air from a furnace, and the thermometer generally standing at from  $90^{\circ}$  to  $100^{\circ}$  of Fahrenheit. It has even stood as high on one occasion within my own experience as  $112\frac{1}{2}^{\circ}$ . The day I allude to was a Sunday, in the month of February, 1824. I had to perform divine service twice during the hottest part of the day; but I confess I experienced very little inconvenience from the heat—less indeed than I have felt in a crowded church in Scotland. This is to be ascribed entirely to the extreme dryness of the atmosphere in New South Wales; for in a dry atmosphere one is able to bear a much greater degree, either of heat or of cold, than when the atmosphere is charged with moisture. In the humid atmosphere of England, such a degree of heat as I have just mentioned would be extremely oppressive, if not quite intolerable.



The phenomenon of the hot winds of New South Wales is utterly inexplicable in the present state of our knowledge of the interior of the continent of Australia, and to hazard hypotheses on the subject is just the way to prevent our speedy attainment of the knowledge desired. Some suppose they are occasioned by extensive conflagrations in the north-western interior; others ascribe them to the supposed existence of an extensive tract of desert country in that direction. It is evident, however, that two or three expeditions for discovery in the interior, which could be fitted out by the colonial government at a comparatively small cost, and which would doubtless lead to important results in other respects, would in all likelihood set the question completely at rest, either by affording the real explanation of so singular a phenomenon, or by ascertaining that it is altogether inexplicable. At the same time, it is worthy of remark, that the hot winds are scarcely, if at all, experienced at Port Macquarie, a settlement on the coast considerably to the northward of Sydney.

When the hot wind has spent its strength, it is usually succeeded instantaneously by a violent gust from the southward, which immediately envelopes the town of Sydney in a whirlwind of dust, and sometimes proves fatal to inexperienced boating-parties in the harbour. I have observed the hot wind terminate instantaneously in a hail-storm of a few minutes' duration from the south-westward, which, of course, caused the mercury in the thermometer to descend with surprising velocity; the difference of elevation, after a short interval,

being on one occasion, when the wind had been unusually hot, not less than 40°.\*

The salubrity of the climate of New South Wales is indicated by the general health of the colonists; the diseases which actually occur being, in at least three cases out of every four, the result of excess and dissipation, rather than of those *natural ills that flesh is heir to* in every country under the sun. Excess in the use of animal and other stimulating food is a frequent source of disease in the colony; it is the *semita lethi*—the by-path pursued unwittingly by many an individual, who slowly and unconsciously undermines his own constitution, and at length lays himself completely open to the fatal attacks of acute disease, under which he disappears as suddenly from the face of society as a falling star in the twilight. But excess in the use of ardent spirits is the grand source of disease in New South Wales; it is the broad *Appian Way*, pursued by thousands, to the grave.

The three forms of disease that are most frequent in the colony are *ophthalmia*, *dysentery*, and *influenza* or *catarrh*. By *ophthalmia*, however, I do not mean the Egyptian *ophthalmia*, but affections of the eyes in general: these arise from hot winds, from the reflection of the glare of sun-light from whitish surfaces, from working in the sun without a covering for the

\* In the month of February, 1835, the mercury in Fahrenheit's thermometer descended twenty-five degrees in twenty minutes: this remarkable descent occurred about six o'clock in the evening, and was noticed in the Observatory at Parramatta. There had been a hot wind during the day, the mercury having previously stood for some time at 107° of Fahrenheit.

head ; but in most cases from the use of ardent spirits. From the last mentioned of these causes, entire blindness sometimes, though rarely, ensues, among the convict-population. Dysentery is also confined chiefly, though by no means exclusively, to the lower classes of the colonial population ; and mercury, in doses that a medical practitioner in Great Britain would be afraid to administer, is the grand specific whenever it occurs. It is occasioned sometimes by drinking water containing a solution of alum ; at others, by drinking cold water in hot weather, when the body is in a state of perspiration ; it arises occasionally from the use of salt provisions, or from injudicious exposure to the sun in summer ; but I have reason to believe that the most frequent source of this disease is dissipation. Catarrh or influenza is sometimes almost epidemic in the colony : it seldom proves fatal to persons in the prime of life, but old people and children are apt to sink under it. There have been three attacks of this epidemic experienced in New South Wales during the last ten years, the first having occurred in the year 1827 ; and it has been remarked that it is usually preceded by a long continuance of westerly winds. Whether these winds may bring along with them any miasmata from the marshes of the distant interior, or whether the arid state of the atmosphere, which generally attends them, may induce inflammation of the glands of the throat, and the other kindred accompaniments of violent colds in England, I shall not presume to determine. I am inclined to believe, however, that the exhalations of marshes in New South Wales are in most cases in-

noxious, and are incapable of being conveyed to a distance. There are localities in the territory which are found perfectly salubrious, but which, I am sure, would, in North America, or indeed in most other climates, be infamous for their fevers and agues. I have heard, indeed, of one or two instances of fever and ague in the colony among the convict-labourers, on a farm almost completely surrounded with lagoons in the lower part of Hunter's River: such rare exceptions, however, tend rather to confirm the general rule. Cases of consumption have occasionally occurred and terminated fatally among the native youth of the colony, but they are by no means frequent; and Europeans who have brought the genuine *phthisis pulmonalis* along with them to the country, sink at last under the fatal influence of its deadly virus, although, humanly speaking, they may be said to add three or four years to their lives by going to New South Wales. I have known of a few cases of gout in the colony, but they have uniformly exhibited the same filial relation to brandy and port wine, which distinguishes that disease in the mother country; but cases of inflammation, arising doubtless in great measure from the use of stimulants, either directly or indirectly, are by no means rare. I have also had frequent occasion to observe that diseases in New South Wales are more frequently attended with a speedy and entire prostration of the intellectual powers than in England; and the diseases that do attack the human frame in the colony are generally more acute, and arrive more speedily at their crisis.

The horrible disease called *delirium tremens*, or the



trembling madness, is of frequent occurrence, and sometimes terminates fatally: it is uniformly the effect of excessive dissipation, aggravated probably by the heat of the climate in summer, and by the deleterious substances—such I believe as sulphuric or muriatic acid—with which the publicans of the colony are known to adulterate their ardent spirits. The patient under this disease is distracted with imaginary terrors; he fancies himself haunted by apparitions; the whole frame quakes convulsively under the influence of a diseased imagination; and the nervous system is so unnaturally excited, that the bodily functions are intermitted or deranged, and death frequently ensues. The exorcising of devils is a branch of clerical duty, which in Protestant countries has generally fallen into disuse, and is supposed to be practised only by the Roman Catholic priesthood in the wilder parts of Ireland or Spain. I have twice, however, been applied to for that purpose, by patients labouring under this frightful disease in the colony. One of the cases was that of an unfortunate countryman of my own, a free emigrant from the Highlands of Scotland. In what form the devil used to appear to him, I do not exactly recollect; but it seems he had been incessantly at his window for a whole fortnight before he informed me of his calamitous situation. It was about the middle of January at the time; and as I was previously unacquainted with the man's character and history, and therefore deemed it expedient to proceed with caution, I observed that Christmas, which had occurred very recently, was a season at which many people in the colony were apt to exceed the bounds of moderation; that

it was possible he might have erred himself after so evil an example ; and that if he had, I was not surprised at the visitation he had experienced ; for the devil seemed to have great power in all cases of that kind in New South Wales—much more indeed than appeared to be allowed him in the Highlands of Scotland. The Celt acknowledged in reply that he had not suffered either Christmas or New Year's day to pass without due commemoration ; and even admitted—with the scrupulous caution, however, peculiar to the Celtic portion of my countrymen, in all cases in which their own characters or interests are concerned—that *he might have taken more* on both occasions than was likely to do him good ; but he could not see why that should entitle the devil to mark him out as the special object of his annoyance, by presenting himself incessantly at his window, and *tempting him with more brandy and other such temptations*. He promised, however, to follow my advice for the future, and to try what effect sobriety would have in keeping the Tempter at a more respectful distance.

There was something peculiar in the Highlander's history ; and I was sorry to find that he had been unfairly dealt with by certain parties in the colony, from whom he had been entitled to expect very different treatment. I accordingly wrote a memorial on his behalf to General Darling, through which he was fortunate enough to obtain a grant of five hundred acres of land. Finding, besides, that he was a man of no decision of character, and that he was consequently liable to be led astray in Sydney, I found ways and means of getting him packed off to his land, which was situated

at a considerable distance in the interior, and on which he promised to settle : but on returning to the colony after my second voyage to England, in the year 1831, I was sorry to find that he had sold one half of the land to a publican in Sydney, and that he was both frequent and protracted in his visits to the publican's on the strength of the remaining moiety. On one of these occasions, he had been drinking in the *Tap* over-night, and had fallen asleep with his head leaning on his hands at the table, in which condition he was left by the publican's family on going to bed. On opening their house at an early hour on the following morning, he was still apparently asleep at the table ; but, on trying to awake him, they found he was dead !

Either the Royal College of Physicians, or one of the other medical boards of London, transmitted a series of questions a few years ago to certain medical gentlemen in the colony, to ascertain the average duration of human life in New South Wales : it is scarcely possible, however, to arrive at accurate conclusions on such a subject for many years to come. There cannot be any native of the colony (the phrase uniformly designates a native of European descent) at this moment more than forty-nine years of age ; and in regard to those who have arrived as adults, whether free emigrants or convicts, there have hitherto been so many disturbing circumstances, arising chiefly from the character of the population, to counteract the natural salubrity of the climate, that the present colonial bills of mortality would undoubtedly lead the man of figures and calculations to most fallacious conclusions. For

my own part, I am inclined to believe that the probabilities of life, for any number of children born in the colony, are higher than for a similar number born in England, but that fewer of that number are likely to reach extreme old age in the colony than in Great Britain. In short, the lamp of life in the salubrious climate of New South Wales is like a taper immersed in a vessel filled with oxygen gas; it burns more brightly than in common air, but is sooner extinguished.

Persons of temperate habits, who have passed the meridian of life before their arrival, are doubtless likely to live longer in the colony than they would have done in England. Individual cases are certainly no rule to judge by; but I may be permitted to mention the singular case of an old man of the name of Wright, who had been many years in the colony, and who died sometime ago in the Benevolent Asylum in Sydney, at a hundred and five years of age. The only coherent words he uttered, for two or three years before his death, were such as he had doubtless been accustomed to use when a whole century younger, for he was frequently heard calling for—his mother!



## CHAPTER V.

STATEMENT OF THE ADVANTAGES WHICH NEW  
SOUTH WALES HOLDS FORTH TO VARIOUS  
CLASSES OF EMIGRANTS.

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“ Be not slothful to go, and to enter to possess the land. When ye go, ye shall come unto—a large land—a place where there is no want of any thing that is in the earth.”—JUDGES xviii. 9, 10.

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THERE are classes of persons in the mother country, whom it would doubtless be preposterous in the highest degree to advise to emigrate to New South Wales, or indeed to any of the colonies. In an old country—a country in a high state of civilization and advancement—there are numerous arts and branches of business for which there cannot possibly be any demand in a young colony, or in a state of society altogether different; and it is in no small degree from inattention to this important circumstance, on the part of numerous emigrants in all the colonies of the empire, that the entire failure of many of these emigrants, and their loud complaints against the colonies generally, have originated. Previous to his leaving his native land, the intending emigrant should

by all means ascertain, whether his habits and pursuits are adapted to that new state of society which he will find prevailing in the distant land of his adoption : for although that land may be desirable enough as a place of settlement for thousands and tens of thousands in the mother country, it may be any thing but desirable for him. I recollect, for example, the case of two muslin-weavers, who had been tolerably comfortable in their native country, arriving with large families in New South Wales, and exclaiming loudly against the colony, and threatening to write home against the government agents and committees who had induced them to emigrate—simply because there was no employment for them in that capacity. It would be a strange and most unnatural thing, indeed, if there were employment for muslin-weavers in a young colony.

For labourers of all classes, however, for shepherds, and for mechanics of all those handicrafts that are in requisition in the building of houses and ships, or in the sustentation and maintenance of agriculture and commerce, the colonies generally, and especially the Australian settlements, present a boundless field for employment, and a most favorable prospect of adequate remuneration. And as the government are now appropriating the rapidly increasing revenue arising from the sale of waste land in these settlements, towards the encouragement and promotion of the emigration of families and individuals of all the classes I have enumerated, the grand obstacle in the way of the emigration of such persons to so distant a region, arising from poverty, griping poverty, at home, is now happily removed :

for although the system which has thus been most judiciously adopted is as yet only coming into operation, and has hitherto been most inefficiently and badly managed; there is no doubt whatever but that it will ere long be conducted on so improved and so extensive a scale, as to afford every British labourer or mechanic, of reputable character and industrious habits, who chooses to avail himself of the important privilege, a free passage for himself and his family to the Australian colonies.

For respectable families of moderate capital, or of fixed income, arising either from money or from land, the prospect from emigration to New South Wales is favourable and encouraging in the highest degree.

There are many respectable families in the mother country possessing property to the amount of £2000 to £5000, but having no means of providing for the settlement of their children, and having nothing else to depend on for the future than the small income now derivable in Great Britain from property of that amount. To such families, New South Wales presents a most eligible prospect for effecting a comfortable settlement. With a comparatively small portion of their capital, they could purchase a farm of moderate extent partially improved, in one of the settled districts of the colony, where, in all likelihood, they would find respectable and agreeable society in their immediate neighbourhood, and be surrounded with the comforts and appliances of civilization. A farm, or small estate, of the kind I have just mentioned, would furnish a respectable family with all the necessities and with many of

the comforts of life. If they chose to embark largely in sheep-farming or in grazing speculations, they could either purchase or rent a tract of land from the Government in the distant interior, where their sheep and cattle could range in safety under the charge of a hired overseer, at the distance of two, or even three hundred miles: but if they chose rather to lend out the remainder of their capital at interest, they could obtain at least ten per cent with the utmost facility, on security as good as any in England.

In the year 1826, Mr. Henry Dangar, late Surveyor for the Australian Agricultural Company, published a large map of Hunter's River, accompanied with a list and description of the agricultural settlements in the district, and directions to intending emigrants. Supposing a family to arrive in the colony with a capital of £1000, Mr. Dangar advises that that capital should be expended in the following manner: viz.

In the purchase of

200 improved ewes in lamb, which would	
now cost £1 10s. each . . . . .	£300 0 0
20 good cows at £5 each . . . . .	100 0 0
1 bull . . . . .	8 0 0
1 team of four oxen, with harness . . . . .	40 0 0
1 brood-mare . . . . .	40 0 0
1 riding-horse . . . . .	30 0 0
A cart and other implements . . . . .	50 0 0
Clearing ten acres of land, and cropping it	
with wheat and potatoes . . . . .	50 0 0

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£618 0 0



The reader will recollect, however, that whereas the colonial government was empowered to grant land to respectable settlers at a moderate quit-rent in the year 1826, Crown land is now obtainable only by purchase at a public auction, and at not less than five shillings per acre; the land so purchased, however, being free of quit-rent. Supposing, therefore, that a family were now arriving in the colony with a capital of £1000, they could afford to purchase a sufficient extent of land from the government, and still be in equally favourable circumstances with the family emigrating in 1826; for, according to Mr. Dangar's estimate, the quantity of stock and agricultural implements, &c. enumerated in the preceding list, would at that period have cost £815. In other respects the circumstances and prospects of a respectable family settling in any part of the colony now, are incomparably superior to what they were in 1826; while the price of wool—the chief article of produce and the chief article of export in New South Wales—has rather risen than fallen during the last ten years.

The following estimate of the profits derivable from the investment of capital in sheep-farming in New South Wales, is founded chiefly on calculations appended to Captain Sturt's account of his 'Two Expeditions into the interior of Southern Australia.' I have retained Captain Sturt's numbers as far as relates to the progressive state of the flocks and their rate of increase, but made such alterations in regard to prices as are justified by the present state of the colony.

## No. 1.—ESTIMATE OF INCREASE.

	Ewes
Suppose two flocks of ewes of improved breed purchased in the colony, comprising . . . . .	670
Increase of lambs at the usual rate of increase, exclusive of deaths . . . . .	595
<b>Total number at the end of the first year . . . . .</b>	<b>1265</b>
Increase of lambs, exclusive of deaths, during the second year	610
Rams purchased . . . . .	18
<b>Total number at the end of the second year . . . . .</b>	<b>1893</b>
Increase of lambs during the third year . . . . .	875
Rams purchased . . . . .	12
<b>Total number at the end of the third year . . . . .</b>	<b>2780</b>
Increase of lambs during the fourth year . . . . .	1143
Rams purchased . . . . .	18
<b>Total number at the end of the fourth year . . . . .</b>	<b>3941</b>
Increase of lambs during the fifth year, exclusive of deaths and lambs slaughtered . . . . .	1513
Rams purchased . . . . .	10
<b>Total number of all ages at the end of the fifth year . . . . .</b>	<b>5464</b>

## No. 2.—ESTIMATE OF EXPENDITURE.

	£.	s.	d.
Original cost of 670 ewes at £1. 10s. a head . . . . .	1005	0	0
Expense of management during the first year . . . . .	80	0	0
<b>Total expenditure during the first year . . . . .</b>	<b>1085</b>	<b>0</b>	<b>0</b>
Expense of management during the second year . . . . .	115	0	0
Cost of rams purchased . . . . .	135	0	0
<b>Total expenditure during the second year . . . . .</b>	<b>250</b>	<b>0</b>	<b>0</b>

	£.	s.	d.
Expense of management during the third year . . . . .	180	0	0
Cost of rams purchased . . . . .	90	0	0
<b>Total expenditure during the third year . . . . .</b>	<b>270</b>	<b>0</b>	<b>0</b>
Expense of management during the fourth year . . . . .	240	0	0
Cost of rams purchased . . . . .	135	0	0
<b>Total expenditure during the fourth year . . . . .</b>	<b>375</b>	<b>0</b>	<b>0</b>
Expense of management during the fifth year . . . . .	290	0	0
Cost of rams purchased . . . . .	75	0	0
<b>Total expenditure during the fifth year . . . . .</b>	<b>365</b>	<b>0</b>	<b>0</b>

### NO. 3.—ESTIMATE OF INCOME.

1st year. 1265 fleeces of 2½lbs. each, sold at 1s. 6d. per lb.*	213	9	0
Deduct cost of management, &c. . . . .	80	0	0
<b>Income at the end of the first year . . . . .</b>	<b>133</b>	<b>9</b>	<b>0</b>
2nd year. 1893 fleeces, do. do. . . . .	319	8	6
Deduct cost of management and amount of purchases . . . . .	250	0	0
<b>Income at the end of the second year . . . . .</b>	<b>69</b>	<b>8</b>	<b>6</b>
3rd year. 2780 fleeces, do. do. . . . .	469	2	6
Deduct cost of management and purchases . . . . .	270	0	0
<b>Income at the end of the third year . . . . .</b>	<b>199</b>	<b>2</b>	<b>6</b>
4th year. 3941 fleeces, do. do. . . . .	665	0	0
Deduct cost of management and purchases . . . . .	375	0	0
<b>Income at the end of the fourth year . . . . .</b>	<b>290</b>	<b>0</b>	<b>0</b>

\* During the last three years a very large portion of the wool of the colony has been sold at two shillings a pound.

	£.	s.	d.
5th year. 5464 fleeces, do. do. . . . .	922	0	0
Deduct cost of management and purchases . . . . .	365	0	0
	<hr/>		
Income at the end of the fifth year . . . . .	557	0	0

No. 4.—ESTIMATE OF VALUE OF FLOCK AT THE END OF THE FIFTH YEAR.

1614 Ewes from one to four years old at £1. 10s. each . . . . .	2421	0	0
622 do. from four to seven years old at £1 each . . . . .	622	0	0
780 Female lambs at £1 each . . . . .	780	0	0
2405 Wethers and Male Lambs at 15s. each . . . . .	1803	15	0
45 Rams at £5 each . . . . .	225	0	0
	<hr/>		
Total value . . . . .	5851	15	0

In short, New South Wales affords at this moment the fairest prospect for prudent and industrious families of moderate capital, whom the present circumstances of the mother country may induce to emigrate. And let it be remembered, by all who may have it in their power to encourage and to promote the emigration of such families to the colonies, that every such family that settles in New South Wales contributes eventually to the prosperity of Great Britain, through the more extensive market which it opens for British manufactures, and the direct support it affords to British commerce, not less certainly, and in all likelihood to a much greater extent, than if it had never left the British shore.

Suppose the case of a respectable family living in England on £200 or £250 a year, the interest of their whole capital of £5000: they will doubtless consider themselves fortunate in having been able to invest that



capital on good security at four or five per cent interest: but they would much rather have invested it in a good business of any kind; for the head of the family is perhaps a man of some energy of mind, who is still in the prime of life, and has a numerous offspring to provide for. Deterred, however, from engaging in any kind of business by the fear of losing their whole property in the present competition for the profitable investment of capital, they retire to the West of England, or to some other part of the country, where they can rear and educate their children as economically as possible. In such a situation, it is evident that the *custom* even of a very respectable family is no great matter either to the Birmingham or the Leeds manufacturer; for they necessarily contrive to do with as little as they can, and to make every thing last as long as possible: for the same reason, the ship-owner is very little in their debt for all he gets by *carrying* home from beyond seas all the tea and sugar, or other foreign commodities they make use of. In short, the capital of the family is comparatively dead to the nation, and so are the energies of the capitalist; for, instead of occupying the important and influential place in society, which his own abilities and education, combined with his pecuniary means, would *in other and more favourable circumstances* have enabled him to hold, his time is drivelled away either in shooting on my Lord Somebody's grounds, or in poring over the newspapers at the nearest reading-room, or in speculating on the propriety of making his son John a lawyer, and his son James a medical man, and his son Thomas a clergyman. When the boys are

educated,—which, in the present circumstances of the mother country, is not easily accomplished out of an income of two hundred a year,—the capitalist, the Englishman, forsooth, the man who, if he felt his own weight, or knew his own place in the world, would scorn the employment,—spends his pocket-money in coach-hire, and his time in the antechambers of the great, actually *begging* for situations for his sons! Let the reader *look attentively at this picture*, and then *say if it is not like*, as a representation of the actual condition of a thousand respectable families in England!

Let him now look at the very same family emigrating to such a colony as New South Wales. Fifteen hundred pounds will in all likelihood be sufficient to land the whole family in the colony, and purchase a partially improved farm or estate with a good house on it, in a settled part of the country, and within a moderate distance of Sydney; on which, without any farther outlay of capital, they may obtain all the necessaries and many even of the luxuries of life, and which will afford, moreover, suitable and sufficient employment for the most active mind! Two thousand pounds of their capital invested, at 10 per cent interest, will afford them a yearly return equal to their whole income in England, while the remainder, if invested judiciously in cattle or in sheep-farming, will in all likelihood yield them from 20 to 50 per cent interest. The circumstances of the emigrants will, therefore, be materially changed for the better, and they will accordingly live in a style somewhat conformable to their larger income. But others will be benefited by this change, as well as the emi-

grants themselves ; for they will no longer be content with the limited supply of Birmingham and Leeds manufactures that they found sufficient in the West of England, and they will consequently be much better customers than they were before to the Birmingham and the Leeds manufacturers ; whose workmen will of course be better employed, better clothed, better lodged, and better fed, than they were previously to their emigration. They could scarce afford to keep a riding-horse in England ; they can now keep a carriage, and of course give employment to the various classes of persons that are engaged in the manufacture of saddlery and of coach-furniture in the mother country. They now buy tea by the chest, and sugar by the ton, for their large farm-establishment ; and the classes of merchants, shipowners, and mariners are on that account, as well as in consequence of their greatly increased consumption of British goods, benefited by their emigration to a much greater amount than they would have been by their remaining at home. Nor is that benefit merely indirect ; for a family of moderate capital, commencing sheep-farming in the colony, will not have been long resident in New South Wales, before they will be in the way of receiving visits of business from the shipmasters that frequent the port of Sydney, offering to carry home their wool or other colonial produce to London.

As a member of society, the capitalist of two hundred pounds per annum, living in retirement in England, is of comparatively little weight in the scale. In New South Wales he becomes an important, and, if he

chooses, a highly influential personage. He is able, in some measure, to give the tone to society in his own neighbourhood. To those who are returning, though irresolutely, from the paths of vice, his encouragement gives firmness and resolution, while his virtuous example drives immorality into the shade. If he has the inclination, he has ample means of pursuing plans of benevolence and philanthropy : if he has the spirit, he can even erect an altar in his own vicinity, and cause many to follow him to the sanctuary of God. His advice is asked and taken in matters of government and legislation, and his name is perhaps honourably enrolled in the annals of an empire.

As a father, the means of education for his children are within his reach in the colony, and the walks of mercantile and professional exertion are still open to his sons : but he is relieved from all anxiety as to their obtaining a comfortable subsistence in the world ; and if his son Thomas should actually turn out to be unfit for any thing but “ reading out of a book,” (to use the sarcastic language of the late Jeremy Bentham, when estimating the qualifications usually required for the clerical office in England,) he is under no temptation to incur the guilt of thrusting an unfit person into the holy office of the ministry, for he can give him a few hundred head of cattle and a few flocks of sheep, and the lad will have an independence for life.

Now can any person deny, that the man of moderate capital, who thus lives in the colonies, does not live much more usefully to the British nation, as well as to himself, to his family, and to society, than the man



who merely vegetates in England on two hundred a year?

Were a family of moderate capital emigrating to New South Wales, to purchase a partially improved farm either at Hunter's River, at Bathurst, or at Argyle, they would scarce experience any of the inconveniences to which emigrants of all classes are uniformly exposed on settling in the wilderness. Besides finding in their immediate neighbourhood respectable and well-educated society, they would be much nearer a market for their produce, and would find the expense of carriage to and from the colonial capital comparatively inconsiderable. If they had children requiring instruction, they would find it much less difficult to get them well-educated than in the distant interior; while they would be much nearer the House of God, and the humanizing influences of the ordinances of religion.

Steam-navigation will in all likelihood be extended very shortly from the settlement of Port Macquarie to the northward, along the whole line of coast to the southward, as far as Port Phillip in Bass's Straits: \* there will thus be a vast extent of eligible water-communication available for reputable and industrious families of still more moderate means, proposing to devote their attention principally to the pursuits of agriculture. The value of that species of communication, even in a moral point of view, is by no means in-

\* There is already a steam-boat plying regularly between Sydney and Port Macquarie, and another has been sent out lately from Scotland to ply between Sydney and Hobart Town—touching, doubtless, at Twofold Bay, which will thus form a very convenient half-way station.

considerable in a colony like New South Wales: for if there were an agricultural settlement formed at Twofold Bay, near Bass's Straits, as I have no doubt there will be very shortly, the grain and other produce of that settlement would be conveyed to Sydney—a distance of nearly three hundred miles—at a comparatively small expense, and without putting it into the power of a single convict-servant to get himself intoxicated by the way.

It is quite unnecessary for a family of free emigrants to carry out any thing from the mother country in the shape of furniture or agricultural implements: such articles can be procured at as cheap a rate in the colony as in England; and to carry out any thing in the shape of merchandise would be folly in the extreme. Even clothing of all descriptions can now be purchased at a moderate price in New South Wales. Neither is it necessary for intending emigrants to purchase books of agriculture, to teach them the processes of farming, if previously unacquainted with them; for such books would in all likelihood do them more harm than good, as they would most probably be unsuitable to the climate, and would only fill their heads with crotchets, which might perhaps prove very expensive in the end. The best way in which an intending emigrant of small capital can employ the intervening time, between the adoption of his resolution and his actual embarkation, and the best preparation which he can make for settling in New South Wales, is to learn to handle the axe, the saw, the chisel, and the plane, by taking lessons for a few months from a country carpenter: for although

he may not find it absolutely necessary to employ himself in that way in the colony, he will find such accomplishments of the greatest utility, even in the way of enabling him to give directions to his workmen or convict-servants. A man who can assist in erecting a house for his family on his own farm, or can make a gate, a door, a table, or a stool, on an occasion of emergency, with his own hands, is much more likely to prosper in New South Wales, than a mere *theoretical* farmer.

I am sorry the colony does not at present hold out any adequate prospect to induce respectable young men to emigrate from the mother country, in the hope of obtaining situations either under government or in mercantile houses, as clerks or warehousemen. Candidates for situations of this kind are numerous already; the class of emigrants I have just mentioned being unfortunately the most numerous, while vacancies seldom occur and are immediately filled up. I have heard of two young gentlemen of this class — both of good education and of respectable families, and who had both been furnished with letters of introduction to mercantile houses in the colony — who arrived in New South Wales within the last few years; but who, finding no prospect of employment in the way they had anticipated, entered *before the mast*, or as common sailors, in one of the colonial sperm-whalers. I admire their noble spirit of independence: indeed, the want of such a spirit has been the ruin of many a young man of fair promise in the colony, who, if he had only *stooped to rise*, in some such honest way as the one adopted by the young gentlemen I refer to, might have risen at

length to comparative independence. The sentiment of the Roman poet—

*Tentanda via est qua me quoque possim  
Tollere humo ;\**

is a virtuous, a praiseworthy, and an honourable sentiment ; and in so far as it leads a man to endeavour to obtain an honest livelihood by his own exertions, even in the humblest sphere of life, it is abundantly sanctioned by Christian precept and apostolic example. Indeed, I do not know a more splendid subject for a painter than that of the apostle Paul—the man whose moral heroism was sufficiently exalted to plant the standard of the cross on the battlements of Ephesus, the strongest hold of Asiatic idolatry, and to make a worthless Roman Governor tremble on his judgment-seat—working by lamp-light with his sail-needle to earn himself a livelihood as a journeyman tent-maker.

At the same time, it is much to be regretted that no effort has hitherto been made in the colony to devise ways and means of affording employment to young men of this description, though in a somewhat different sphere from the one best suited to their abilities. A few thorough-going men of real benevolence in the influential classes of the colony might have done much in this way with very slender means. A tract of land, for instance, might have been procured from the Government, on which suitable farm-buildings could have been erected at a very moderate expense, while a herd of cattle and a flock of sheep could have been collected in the way of donations from the respectable settlers of the

\* “ I must try some way of raising myself from the ground.”



colony. An establishment of this kind might have answered the double purpose of a temporary asylum for respectable young men who had failed in their honest endeavours to find employment of a different kind ; and of an agricultural school, in which such young men might have attained a knowledge of the various processes of Australian farming, and from which they might in due time have gone forth with certain previously-understood facilities, to establish themselves as farmers on their own account in the colonial wilderness. But, unfortunately, we have either had no such men among the influential classes of our colonial community, or the energies of well-disposed individuals have been completely paralysed, under the influence of a most impolitic and illiberal system, which has hitherto prevailed in the colony, and confined the privilege and the means of doing extensive good to the community, to men who have studied only their own personal aggrandizement. It is so much the interest of the colony, however, to prevent respectable young men, who may be unsuccessful in their endeavours to obtain employment in a mercantile capacity on their arrival in the colony, from sinking into despondency, dissipation, and ruin, and to transform them into landholders and cultivators of the soil throughout the territory, that I still entertain a hope that some sort of machinery may shortly be devised and put in motion for the accomplishment of so desirable an object. When the spirits are buoyant and the mind pliant, as is generally the case in early life, it is by no means difficult to transform the individual, who has been trained only to write at a desk or to measure out haberdashery, into a man of ploughs and farm-

produce, of sheep and cattle; and in a country where a young man of good character and industrious habits merely requires a fair starting in the latter capacity to ensure him a speedy, comfortable, and yearly-increasing independence, it is surely an object of the first importance to the community, that a process for effecting so important a transformation should be put into early and efficient operation.

In the year 1832, upwards of two thousand free emigrants arrived in the colony: of these, the greater number consisted of persons of the humbler classes of society, including a number of pensioners with their wives and families. The colonial government had received no orders relative to the pensioners, and had no authority to grant them any indulgence: its efforts on behalf of a few of their number were therefore feeble, desultory, and inefficient; the great majority of the pensioners, and many of the other free emigrants of the humbler classes, being left to find their way in the colony as they best could, with nobody to ask advice of, and nobody to direct them; and liable to be beset by worthless individuals, or driven through despondency to absolute desperation.

It was natural for most of the Scotch and North of Ireland Presbyterian emigrants, who found themselves in such circumstances, to apply for advice and information to the resident minister of their own communion, especially as I was known to have had something to do with emigration. In fact, I was for some time literally beset with applications for information and advice, in-somuch that I recollect of there being on one occasion

no fewer than three different parties of emigrants newly-arrived, all waiting in different apartments of my house at the same time. Knowing that there were many places in the interior of the colony, where families and individuals of the humbler classes of society could easily obtain an eligible settlement, were their circumstances and abilities known, but possessing only limited information on such a subject myself, it appeared to me that if a society were instituted to collect information of the kind required in such cases, and to form a sort of connecting link between the emigrants and the respectable settlers in the interior, many families might be advantageously settled, or at least rescued from a state of miserable suspense. I accordingly drew up a series of papers on the subject, which were published anonymously in one of the colonial journals; and the idea was so well received, that on a public meeting being held shortly after to form a society for the object proposed, the attendance was both numerous and respectable.

*The Emigrants' Friend Society*, as far as its operations and success depended on the general and continued support of the colonial public, was like most other colonial abortions—a vapour, which appeared for a little season, and then vanished away: but it fortunately did not require that support in the degree in which it is necessary to the existence and prosperity of other societies. A publicly accredited agent of active benevolence was what it chiefly required; and a Scotch gentleman of this character—W. Macpherson, Esq., Collector of Internal Revenue—was appointed for that purpose Ho-

norary Secretary, in which capacity he had almost the exclusive management of its affairs devolved upon him. Within a few months after its formation, Mr. Macpherson had procured situations in the interior for upwards of seventy families and individuals.

Retired or half-pay officers of the army or navy are a class of men who have generally fewer ties to bind them to any particular spot in the mother country than most other persons of the same rank in life; while their limited means, and the daily increasing difficulty of providing for a large family in England, naturally predispose them to emigration. Besides, there is a positive inducement very properly held forth by His Majesty's Government to gentlemen of this class proposing to settle with their families in the colonies, in the shape of a remission of the purchase-money of whatever Crown-land they may purchase on their arrival, to an amount proportioned to their rank and length of service; a field-officer being entitled to a remission of £200 to £300; a captain, to a remission of £150 to £200; and a subaltern, to a remission of £100 to £150; or, in other words, the field-officer settling in the colonies will receive from eight to twelve hundred acres of land, purchased at the minimum price, for nothing; the captain, from six to eight hundred; and the subaltern, from four to six hundred. Gentlemen of this class will be able to estimate the advantages which New South Wales presents for the settlement of a family from the preceding pages, and it is therefore unnecessary to say any thing farther on the subject. I shall only mention one circumstance, which will doubtless suggest itself to the reader, from



the whole tenor of the preceding sketches, as an argument in favour of emigration to retired officers in general, and to many respectable families of limited income in the mother country ; viz. that what would barely be sufficient to enable a respectable family to live in England, would with common prudence enable them to live in comparative affluence in New South Wales.

For respectable families of moderate capital proposing to emigrate, New South Wales is in many respects greatly preferable to Upper Canada. The Australian climate is incomparably superior to that of any of the British provinces of North America. The productions of New South Wales are far more various and far more valuable ; for, to instance only one of them, what are a few thousand logs of inferior timber, and a few thousand barrels of potash, to the fleeces of the sheep on a thousand hills in Australia ? The society which a respectable family is likely to meet with in the neighbourhood of their place of settlement in the interior of New South Wales is of a more congenial character than what is usually to be met with in the back-settlements of Upper Canada ; while the transportation-system, which constitutes the grand objection to New South Wales as a place to reside in, in the estimation of most people at home, ensures a constant supply of cheap and valuable labour. In short, New South Wales is, beyond all comparison, the preferable country for a gentleman-farmer.

It is now no longer necessary to institute comparisons between the colonies of New South Wales and Van Dieman's Land, to induce intending emigrants to direct

their course to the one of these colonies rather than to the other. The fact that, during the last two years, there has been a very considerable emigration from Van Dieman's Land to New South Wales, insomuch that more than two hundred persons have actually crossed over from that island to the continent of New Holland, carrying along with them upwards of thirty thousand sheep, with horses and cattle in proportion, and forming a settlement of squatters at Port Phillip in Bass's Straits, is surely decisive of this question, as far as intending emigrants are concerned. I should be sorry to say a single word in the way of detraction in reference to the colony of Van Dieman's Land, which, I am happy to say, is undoubtedly one of the most prosperous of the British colonies: but the much greater difficulty of finding unlocated land of good quality and in eligible situations, and the much greater expense of effecting a settlement in that colony than in New South Wales, are considerations of the utmost importance to an intending emigrant, and will doubtless have their due weight in determining his course.

The climate of Van Dieman's Land is unquestionably more congenial to an English constitution than that of the lowlands of New South Wales; but it is not a whit more congenial than that of the elevated tableland of the western and south-western interior of the elder colony. The wheat of Argyle to the south-westward—the direction in which the stream of emigration is now flowing—is equal to that of Van Dieman's Land both in weight and quality, while the English gooseberry arrives at as high a degree of perfection as

in that island, and the cheeks of children exhibit the same ruddy glow of entire health. On the other hand, although the climate of the northern parts of Van Dieman's Land is most delightfully salubrious; that of Hobart Town, from its immediate vicinity to Mount Wellington—on which every cold blast from the South Pole seems to stop for fresh orders on its journey to the northward—is much more subject to those frequent and violent transitions from summer heat to extreme cold, which are so productive of rheumatisms and tooth-aches, than any part of New South Wales. I have been three times in Van Dieman's Land, and have resided at Hobart Town about three months at different seasons of the year; I do not speak, therefore, from mere hearsay.

There is no article of agricultural produce raised in Van Dieman's Land that is not cultivated successfully in New South Wales; but there are many articles of produce cultivated, or that may be cultivated, in New South Wales, that can never be raised profitably, if at all, in Van Dieman's Land. Maize—an invaluable grain to the agriculturist—is not grown in Van Dieman's Land, and there are no orange-groves in that island. The very timber that is used for joinery and cabinet-work in Van Dieman's Land is imported from New South Wales.

But the special advantage which New South Wales enjoys over Van Dieman's Land is the illimitable extent of pasture-land which it presents to the sheep-farmer, or the proprietor of cattle, in almost every direction. Van Dieman's Land is but a small island, not quite so large

as Ireland, and a great portion of its surface is absolutely uninhabitable: the continent of New Holland is as large as all Europe, and contains an extent of available land equal to the whole extent of the united territories of several European kingdoms. This is a circumstance of no small moment in countries which are chiefly valuable for their pasture, and the riches of which must consist principally in their flocks and herds; for Van Dieman's Land will, at no distant period, be *over-stocked* with sheep, and *over-run* with cattle. Again, the climate of New South Wales is universally allowed to be superior to that of Van Dieman's Land for the growth of fine wool; but the reader is, perhaps, not aware that the pastures of New South Wales are much better adapted for the rearing and fattening of cattle than those of the more southern colony. Such, however, is the fact; the native grass of Van Dieman's Land being less nutritious than the native pasture of New South Wales, while it is much more liable to be destroyed during the longer and severer winters of that island. The Van Dieman's Land farmer has to provide artificial food for his cattle—hay, straw, turnips, &c.—during the winter; there is nothing of the kind known in New South Wales. The beef of the latter colony is of superior quality to that of Van Dieman's Land; and butcher-meat generally sells in Sydney for little more than half the price that it costs in Hobart Town.

It is preposterous to represent Van Dieman's Land as the granary of New South Wales. Van Dieman's Land, doubtless, exported wheat in great quantity to



New South Wales, at a time when the elder colony was suffering under an unprecedented visitation of God, which had been aggravated by the almost unprecedented folly of man: but what is the actual state of matters in regard to the commercial relations of the two colonies now, when things may be supposed to have reached their proper level? Why, the balance of trade is now in favour of New South Wales; and the articles exported from the elder colony to Van Dieman's Land consist chiefly of beef and pork, dairy produce—chiefly butter and cheese—horses, oranges, &c.; articles, for the most part, which Van Dieman's Land might have been supposed to have raised in sufficient quantity for its own consumption, long before this time. In fine, although Van Dieman's Land is undoubtedly greatly superior, in regard to its climate and productions, to any of the North American colonies, for a respectable family of small capital to settle in, and though I shall always be most happy to bear testimony to its prosperity and advancement;—I am confident I speak the truth, when I assert that New South Wales holds out a much better prospect to the intending emigrant of moderate capital, the future proprietor of sheep and cattle, if not also to the practical agriculturist, or the cultivator of the soil.

I should be sorry to say a single word that would have the effect of impeding the prosperity of the colony of Swan River, which, I am happy to state, has survived the difficulties of its first settlement, and is now in the highway to advancement; but I cannot help pointing out to the reader the vast difference that

there is between the circumstances of that colony, as a place for the settlement of respectable free emigrants, and those of New South Wales. Supposing both the climate and the soil at Swan River to be equal to those of New South Wales, there are no roads in Western Australia ; labour is not to be procured but at an exorbitant price ; and wool, the chief produce of the soil, which is raised under all these disadvantages, is sold at the very same price in England as the produce of the eastern colony.

The superior claims of the recently formed colony of Southern Australia have been put forth so prominently and so often during the last few years, that it would be unfair to the intending emigrant not to notice them. I have not the slightest wish to depreciate that colony in any way ; at the same time I cannot help remarking that the principles on which it has been founded are somewhat fallacious, as far as regards the best means of colonization on the Australian continent. After all that has been *said and sung* on the subject, *land and labour* are not the only *elements of colonization* in countries essentially pastoral ; for if they are, under what category are we to rank the two millions of fine-woolled sheep, and the vast herds of cattle that roam over the boundless pastures of New South Wales, and form the wealth of that most prosperous colony ? The unprecedented prosperity of that colony, notwithstanding the unprecedented dispersion of its mere handful of inhabitants, gives the lie to all those fine-spun theories that have from time to time been thrown off from the looms of certain political economists in England during

the last few years, and that uniformly represent concentration as indispensably necessary to the prosperity of a colony. In opposition to these theories, I maintain that dispersion is the order of nature—the course evidently prescribed by the Creator—in the first settlement of countries adapted in their natural state to the rearing and depasturing of flocks and herds. It is only when the natural advantages which such countries present have been made extensively available by a pastoral population; it is only when, from the natural increase of that population in particular localities, the agricultural state of society begins to be superinduced upon the pastoral, that concentration is found to be either practicable or profitable. Those who imagine that the progress of colonization in Southern Australia will in this respect be at all different from what it has uniformly been in New South Wales and Van Dieman's Land, will soon find themselves egregiously mistaken. The colonists in that settlement will doubtless very soon discover, that it is much more profitable to follow their flocks and herds into the far interior, than to sit down, as cultivators of the soil, on a few acres of arable land on the coast: and as soon as they make this discovery, ingenious theories alone, which every day's experience will tend to falsify, will not induce them to concentrate in opposition to their own obvious interests.

The intending emigrant who bears in mind that the colonies of New South Wales and Southern Australia are separated from each other merely by an imaginary line, which the progress of colonization in New South Wales has very nearly reached already, and that the

land on the one side of that line is just as good for all the purposes of colonization as the land on the other, will doubtless regard it as a circumstance of some importance, in endeavouring to make up his mind as to which of the colonies he should bend his course to, that while land in Southern Australia is not sold for less than one pound an acre, it may be procured on the New South Wales side of the line for five shillings. It is not probable indeed that so great a disproportion will be maintained long, neither is it to be desired, in as far as regards the progress and advancement of the elder colony; but the intending emigrant will recollect that this is the state of things in the two colonies at present.

As to the comparative facilities for obtaining free labour for the purposes of colonization, there cannot long be any material difference between the two colonies. The same system is now pursued in both—that of appropriating the funds arising from the sale of waste land to the encouragement and promotion of emigration. That system will undoubtedly ensure a vast importation of free labour into both colonies; while in that of New South Wales, it cannot be denied, that the importation of convict labour will increase, rather than diminish, the facilities for obtaining labour of the kind required by free emigrants of moderate capital in that settlement.

At the same time, as I have shown that both colonies must necessarily be pastoral settlements for a long time to come, it will be obvious, that in such a state of things as that circumstance implies, the amount of labour required by any capitalist, to enable him to turn his land



to account, will be much smaller than it will eventually be when both colonies shall have reached their agricultural state. It is by no means, therefore, of such importance to the intending emigrant of moderate capital, that there should be so superabundant a supply of labour in the colonial market, as the projectors of the colony of Southern Australia appear to think indispensably necessary for the establishment and maintenance of a colony on the Australian continent. A very small number of labourers would be sufficient to manage as many as ten thousand sheep and two thousand head of cattle ; and such will, doubtless, for a long time to come, be the purpose for which labour will be especially in requisition in all the Australian colonies.

In regard to the character of the population of the two settlements, it is not to be supposed that any material difference will be observable in this particular, any more than in the others already enumerated, for a long period. The transportation system must and will be amended, and the colony of New South Wales will ere long experience the beneficial effects of that amendment. The influx of free emigrants, under the new system of emigration now in operation, will gradually elevate the character of society in that colony, and enable it to purify itself ; while the ample means now afforded for the religious instruction and education of the colonists will aid and accelerate the process of purification. In the mean time the boundary line between the two colonies will be crossed from both sides of it, in the whole direction of its length ; and the popu-

lation on the one side of it will speedily be assimilated, in character as well as in pursuits, to the population on the other.

The vast distance of the Australian colonies, and the consequent expense of the voyage out, have hitherto operated very unfavourably for these colonies. The cost of a cabin-passage from London to New South Wales has usually been as high as £70 to £90, and that of a steerage-passage £35 or £40. Latterly, however, the fares have been considerably reduced. From Scotland a passage to New South Wales is generally much cheaper than from London; and from Liverpool it is now as low as £50 for the cabin, and £20 for the steerage. Ship-owners, surely, do not require to be informed that a reduction of the fare is a premium on emigration; or that the lower the rate of passage-money is reduced, the more passengers are likely to offer.

## CHAPTER VI.

## ENUMERATION AND DESCRIPTION OF THE LOCALITIES IN NEW SOUTH WALES, WHICH ARE AT PRESENT OPEN TO EMIGRATION FROM THE MOTHER COUNTRY.

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“ The time cannot be far distant, when the noble scheme of a systematic emigration from all the over-peopled parts of the earth to the under-peopled, preserving health to the mother-countries by moderate depletion, and invigorating infant colonies by the infusion of full-grown labour, will be recognised as the true political wisdom of all advanced states, and generally adopted by them ; when an increase of population, instead of being deplored and discouraged by short-sighted statesmen and philosophers, will be hailed with delight as the means of adding to the sum of human happiness, and extending the empire of civilization over the globe.”—*Principles of Political Economy*, by Mr. POULETT SCROPE.

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THE stream of emigration is at present flowing in two different directions within the territory of New South Wales,—to the northward and to the southward, or rather the south-westward, of Sydney. In the former of these directions, the first settlement on the coast, to the northward of Port Stephens, the site of the Australian Agricultural Company’s grant, is that of the Manning River, on the banks of which there is a very

considerable extent of available land of the first quality, still the property of the Crown. The Company's grant was formerly bounded to the northward by the Manning ; but the recent exchange of a large portion of their land in that vicinity for an equally extensive tract in the district of Liverpool Plains in the north-western interior, has thrown open the whole of the lower part of that river to the enterprise of industrious settlers. There is already a considerable population in that vicinity, consisting chiefly, if not exclusively, of cedar-cutters and ship-builders, as the timber on the banks of the Manning is of superior quality and in great abundance : but there is still a sufficient extent of available land for the establishment of a very considerable number of additional settlers of the class of free emigrant agriculturists, the soil being eminently adapted for cultivation.

The intervening country from the Manning River to Port Macquarie is generally of a sterile and unpromising character along the coast, the distance between the two settlements being about sixty miles. At Port Macquarie, however, there is a vast extent of available land of the very best description, both for grazing and for agriculture. Along the Hastings, the large navigable river which empties itself into the Pacific at Port Macquarie, the extent of alluvial land is considerably greater than is generally found on the banks of colonial rivers ; and the forest land beyond the reach of its inundations presents a wide extent of eligible pasturage both for sheep and cattle. The Maria River, which empties itself into the Hastings at John's Plains,



about twelve or fifteen miles from the settlement, is navigable for forty miles from its mouth in a north-north-westerly direction ; and there is a large extent of available land on its banks. About ten miles to the northward, from the head of the navigation of the Maria River, another navigable stream, called the M'Leay, is found pursuing a north-north-easterly course to the Pacific, into which it falls about eighty miles to the northward of Port Macquarie. On the banks of this river also the extent of available land is very considerable, and the natives are numerous and friendly. In short, the vicinity of Port Macquarie presents a wide field for the settlement of an agricultural population ; and although the harbours on that part of the coast are all bar-harbours, there is reason to believe that they are all available for steam navigation.

To the northward of Port Macquarie, Moreton Bay, which has been occupied as a penal settlement for the last twelve years, but will shortly be thrown open to free emigration, presents a vast extent of available land of the very first quality. Moreton Bay is an extensive basin situated between the 27th and 28th parallels of south latitude, on the east coast of New Holland, and accessible for ships of large size by two different channels ; the one to the northward, and the other to the southward of Amity Island, at the entrance of the bay. The Brisbane River enters the bay from the westward, towards its southern extremity ; the entrance being both guarded and concealed by a small island called Bird Island. Close to the point of land which helps to form the principal entrance of the river, the

Government have a station called Dunwich, subordinate to the penal settlement on the banks of the Brisbane. Vessels of considerable draught of water anchor off Dunwich, close to Bird Island, while those of lighter burden proceed to the settlement. Dunwich forms an admirable site for a commercial city, which it will doubtless become at no distant day; for although the land in its immediate vicinity is of very inferior quality, there is a sufficient depth of water and safe anchorage for the largest vessels; while an extensive bay abounding with the finest fish, including turtles, &c., and four navigable streams, the Brisbane, the Logan, the Tweed, and Scott's River, afford facilities for a pretty extensive inland navigation. On the banks of the last three of these rivers, or creeks, (for this is their proper character) a considerable number of the convicts at Moreton Bay are at present employed in cutting cedar for the public service: it is brought down in rafts to Dunwich, where it is cut up into plank, and stored for use. The abundance of cedar on the banks of these inlets is a sufficient indication to the Australian settler of the quality of the soil, for the beautiful cedar-tree is never found growing on sterile or inferior land.

There is a bar at Amity Point, at the mouth of the Brisbane River, which a vessel of considerable draught of water cannot pass. It would present no obstacle, however, to the progress of a steam-boat, which could reach the settlement, or, as it is called, Brisbane Town, about forty or fifty miles up the river, just as the

Hunter's River steam-boats ascend that river to Maitland. The buildings at a penal settlement cannot be expected to be either numerous or splendid; but the Military Barracks and the Commissariat Store are both substantial buildings, and highly creditable to the place; and the town of Brisbane can in one most important particular take precedence even of Sydney itself;—in being supplied with abundance of excellent water, which is now conveyed to the settlement in pipes, through the exertions of Captain Clunie, the late zealous and indefatigable commandant.

There is a large extent of alluvial land of the very first quality on the banks of the Brisbane: it produces prodigious crops of maize—as much as a hundred bushels an acre; wheat being cultivated chiefly at Eagle Farm, a tract of open forest land of superior quality, considerably farther up the river, where the country, which is hilly, is of limestone formation. Sweet potatoes are cultivated in the neighbourhood of Brisbane Town most successfully, the produce being as much as fourteen tons per acre. Yams, both of the white and purple varieties, are also raised, of large size and excellent quality. The produce from a piece of ground planted with arrow-root, on the bank of the river, was at the rate of a ton per acre, the quality being declared by the officers at the settlement to be superior to that of any they had ever seen before. On low swampy situations, the *phormium tenax*, or New Zealand flax, thrives uncommonly well; while tobacco, cotton, and the sugar-cane can be cultivated to any

extent, with the prospect of a copious return, in situations adapted respectively to the growth of these tropical productions.

In the Government Garden at Brisbane Town, citrons, shaddocks, oranges, lemons, limes, guavas, peaches, nectarines, apricots, almonds, mulberries, bananas, plantains, olives, &c., &c., &c., are all cultivated most successfully. The citron-tree bears fruit of large size and good quality, all the year round. The shaddocks are of large size; the mulberries most abundant; and the crops of plantains and bananas are quite incredible in quantity. The cocoa-nut tree grows pretty well, but has not yet come to maturity. The coffee plant grows well. The pomegranate, the pedanga, the eugenia uniflora, the loquat, the quince, &c., &c., are also among the botanical productions of Moreton Bay; and culinary vegetables of all kinds are as abundant and of as good quality as in any other part of the territory.

The bush in the neighbourhood of Moreton Bay assumes the most beautiful aspect, presenting an endless variety of rare and valuable plants. Cedar is abundant, and so also is timber for other purposes: the tulip wood and the yellow wood, which are peculiar to Moreton Bay, are the most valuable varieties. The bamboo attains a large size in low sheltered situations: it forms an excellent shade from the sun; and, when encircling pools of water, it is highly ornamental.

The cattle that are reared at Brisbane Town maintain themselves in good condition, and the butter and other dairy produce of that settlement are not



inferior to those of the settlements to the southward : but for the rearing of swine, Moreton Bay is undoubtedly the best settlement in New South Wales, from the abundance of sweet potatoes, yams, and other tropical fruits, which can be raised at that settlement at all seasons and with the utmost facility.

As Mr. Allan Cunningham discovered and traversed a splendid country, admirably adapted for the rearing of sheep and cattle, directly to the westward of Moreton Bay, the future settlers in that vicinity will be enabled to vie with their southern neighbours in their flocks and herds, and will thus, in due time, participate in the woolly riches of Australia.

Whether Moreton Bay will ever become a wine country, we cannot state with confidence ; but the climate appears by no means unfavourable to the culture of the grape. The white, pale, or watery grape grows well, but is subject to blight if exposed to the direct rays of the sun : in a southern exposure, it is not liable to be blighted. The black grape is of a hardier constitution, and resists the blight.

At all events, the nature of the soil and climate at Moreton Bay would strongly suggest the propriety of attracting to that settlement a numerous body of emigrants from the southern provinces of Europe.

From the concurrent testimony of various runaway convicts from Moreton Bay, who have reached the settlement of Port Macquarie by travelling along the coast to the southward, it appears that there are several large rivers on that line of coast, with a large extent of land suitable in every respect for the settlement

and subsistence of civilized man. It is mortifying to reflect, that we should be indebted for our information respecting the capabilities of so extensive and so highly promising a country to so exceptionable a source; especially when the colonial government have all along possessed the means of effecting discoveries along the coast in that direction at a comparatively trifling expense. Indeed, one might suppose that His Majesty's Government would, long ere this time, have been desirous of knowing something more than they yet do of the character and capabilities of their splendid estate of New Holland. The country to the westward, both of Moreton Bay and of Port Macquarie, has been ascertained to be admirably adapted for the purposes of grazing.

In the districts of Hunter's River, Bathurst, Illawarra, and Argyle, there is still a large extent of land of superior quality available for the settlement of free emigrants; but it is chiefly to the vast extent of available land to the southward and south-westward of the districts already settled, that the intending emigrant of moderate capital should look. The extensive tract of country on the banks of the Morumbidgee, in the latter of these directions, has been pronounced by the Surveyor-General, Major Mitchell, as well adapted both in soil and climate for the settlement of an agricultural, as well as of a pastoral population, as any tract of country in the world: it has been partially occupied for several years past by numerous squatters—people who *sit down*, to use another appropriate colonial phrase, with their numerous flocks and herds, on the first eligible and

unlocated tract of waste land they can find in the great wilderness, and who are generally able, from the profits derivable from this mode of settling, to purchase the land of which they have had the temporary occupation, when it comes to be sold. But the country still farther to the southward, in the neighbourhood of Twofold Bay on the east coast, and of Port Phillip in Bass's Straits, is at present the great centre of attraction for intending emigrants : of this tract, or rather tracts, of country, the following notice, which was written on board our good ship after she had weighed anchor in Port Jackson, and was sent ashore by the pilot for publication in a colonial journal, in which it accordingly appeared on the fourth of August last, may not be unacceptable to the reader.

### THE SOUTHERN SETTLEMENTS.

#### TWOFOLD BAY AND PORT PHILLIP.

“It is one of the most fortunate circumstances for the general welfare and advancement of this colony that could possibly have occurred, that the eligibility and importance of the southern portions of this territory were comparatively unknown to the colonists about ten years ago, when the Australian Agricultural Company planted itself on its immense grant of a million of acres at Port Stephens. The monopoly of so large an extent of the available land of this colony by a Company that has hitherto done so little for the general welfare, and is so exclusively selfish in all its plans and operations as the Port Stephens' Company, is doubtless a great evil

to this community : but that evil would have been tenfold greater, and would have operated with tenfold greater force as a drag and dead-weight upon the colony, had the Company set itself down at Port Phillip, and picked out a million of acres of the best land in that most eligibly situated and highly promising locality. Even if it had appropriated the less important harbour of Twofold Bay, and selected the same extent of the best land within reach of that commanding situation, the general advancement of the colony would have been greatly retarded. We have therefore to felicitate ourselves, that two such important points on our extensive sea-board have been saved from the iron grasp of monopoly, and will in all probability be thrown open shortly, under the existing land regulations, to the competition of adventurous emigrants.

“ Twofold Bay is admirably situated for a commercial town, being a sort of half-way house between Sydney and Hobart Town, Sydney and Launceston, Sydney and Port Phillip. In short, it will be the general place of call for the numerous steam-vessels that will shortly be plying regularly along the coast, between the capital and all the settlements to the southward, both on the continent and on Van Dieman's Land. The rapid advancement and the commercial prosperity of the settlement that will shortly be formed in that locality, may therefore be reckoned on as a matter of course ; and we may therefore anticipate that the price of town allotments, wherever the township may be formed, as well as of every acre of available land within a moderate distance of the port, will bear a high price in the



land market from the very first : and if the Government were to adopt the principle of appropriating the proceeds of all sales of land in such vicinities as Twofold Bay and Port Phillip, for the importation of free emigrant mechanics and agricultural labourers into these settlements respectively, setting them down in the first instance at the port nearest that part of the territory from which the requisite fund had been derived from the sale of land to defray the expense of their passage out ; leaving them, of course, to find their way into whatever part of the territory they might choose to settle in hereafter ;—the general interests of the colony would be much better studied than under the present arrangement. Supposing, for instance, that any proprietor were investing £10,000 in the purchase of land and town allotments at Twofold Bay ; it would be hard to have the three hundred and thirty-five families of agricultural labourers and mechanics, which that amount would suffice to bring out from England, at the rate allowed by the Government, all landed at Sydney, and the capitalist who had invested money to so large an amount on the capabilities of improvement held out to him in that part of the territory, left to hire labourers and mechanics probably on much less favourable terms than he might otherwise have obtained in Sydney. On the other hand, if the agricultural labourers and mechanics, imported from the proceeds of the land and town allotments to be sold in the vicinity of Twofold Bay, were to be left to take their chance in that district in the first instance, the value of all descriptions of property in that neighbourhood would be greatly en-

hanced, from the large supply of available labour ; and the Government would be the first to reap the benefit of their own wise policy in the greatly increased value of their land.

“ Besides, it is by no means wise policy on the part of this Government to make such arrangements in connexion with the all-important subject of immigration, as will have the effect of concentrating the population in one or two large towns on the coast, and especially in a single overgrown capital. It would be much better for the colony at large, if a few moderately sized towns could be created in eligible situations, either on the sea coast or in the interior ; and nothing could possibly be more conducive towards the attainment of that important object, than the measure we have taken the liberty to recommend.

“ There is another suggestion, to which we conceive the colonial government ought by all means to attend in forming settlements in such localities as Port Phillip and Twofold Bay. The facilities which the present system of alienating Crown lands affords to grasping monopolists,—who, in purchasing land of the very first quality for cultivation, propose to occupy it merely as sheep or cattle runs,—ought to demonstrate to the Government the absolute necessity of rescuing such tracts of land as are peculiarly eligible, either from their situation or from the quality of the soil, for the formation of agricultural settlements. It would be a prodigious loss to this colony, for instance, if the large extent of arable land of the first quality within reach of water-carriage at Port Phillip should be portioned out

into large sheep and cattle farms. If any such arrangement could be devised and carried into operation as would have the effect of cutting up a large portion of the best tillage land in that neighbourhood into small farms, we should soon have a numerous and thriving peasantry to occupy many extensive tracts in that most promising locality, which will otherwise remain mere solitudes as sheep-walks and cattle runs.

“ Twofold Bay is a safe and commodious, but by no means an extensive harbour; Snug Cove, as it was named by the accurate Captain Flinders, being only large enough to afford mooring-room for about half a dozen vessels: as a port, it will never compete with Port Jackson; but it would form an excellent harbour for steam-boats and other coasting vessels; and it will doubtless very soon be a place of considerable trade. The land in the immediate vicinity of Twofold Bay is of very inferior quality, although about twelve miles from the Bay there is a limited extent of tolerably fair land. About thirty miles inland, however, the country begins to improve, and a vast extent of land of the first quality stretches far and wide to the northward and westward, inviting alike the agriculturist and the grazier, and holding out the fairest promise to persevering industry.

“ The country to the westward of the coast range is called by the natives Maneira, or Monaroo: it is not exactly a plain or plains, as it is generally denominated, but is rather a series of gentle undulations; the soil rich and fertile, and the land gently diversified with hill and dale, lightly timbered and remarkably well watered.

From Twofold Bay the country rises gradually till we reach the level of the plains, which are an elevated table land or terrace parallel to the coast, and affording a firm basis for the Snowy Mountains or Great Warra-gong Chain to spring from, to the westward. A gentleman of great agricultural experience, who has recently traversed the Maneira country in various directions, informs us that the plains form a square of about a hundred miles in extent, and present a country well fitted in every respect for the residence and sustenance of civilized men. Whether the distance of the good land from Twofold Bay might not render it impracticable for the future settlers in that district to compete with those of Port Phillip in the production of grain for exportation to Sydney, we are not sufficiently acquainted with the nature of the intervening ground—*iniquitas loci*—to determine ; but there is no doubt whatever as to the fitness of the plains themselves to sustain a numerous population, especially towards their southern extremity. Timber for building purposes, for fencing, and for fuel, will probably be scarce enough in some parts of the plains ; and on so elevated a region as Maneira, with the snowy mountains rearing their bleak rocky summits along their whole extent, and chilling the beholder with the very sight of them, a sufficiency of timber for fuel will be a consideration of first-rate importance. At all events, it is undeniable, that in the district of Maneira, extending from the present limits of the colony to Twofold Bay and Cape Howe, there is a larger extent of available land, whether for pasture or for agriculture, than in the whole island of Van Die-



man's Land. It is at present parcelled out into large portions, some of them as extensive as German principalities, among a noble army of squatters, who, by grazing numerous flocks and herds on its native pasture, are not only giving value to the land, but enabling themselves to become its purchasers whenever it is destined to pass under the hammer of the auctioneer. Indeed, so far from its being sound policy on the part of the Government of this colony to discourage the practice of squatting, (we mean, of course, in the case of persons of acknowledged respectability) that very practice goes directly to form one of the most important sources of revenue in the colony, as in due time every squatter will become a purchaser and proprietor of land; whereas, if the practice were discouraged, many, who are enabled to become purchasers of land under the present system, by rearing their flocks and herds on the waste land beyond the limits, would in all likelihood never be able to purchase a single acre of land.

“Port Phillip is an inlet of the sea in Bass's Straits, stretching about thirty-five miles into the continent of New Holland.\* It was taken possession of and occu-

\* The following account of this inlet is extracted from a nautical Directory for the coasts of New Holland. Port Phillip is situated in Bass's Straits on the southern coast of the continent of New Holland, in lat.  $38^{\circ} 18'$  South, and in long.  $144^{\circ} 38'$  East, nearly opposite the entrance of the Samar River in Van Dieman's Land, from which it is distant only about twenty-four hours' sail. “It is capable,” says Captain Flinders, “of receiving and sheltering a larger fleet of ships than ever yet went to sea; but the entrance, in its whole width, is scarcely two miles, and nearly half of it is occupied by rocks lying off Point Nepean on its eastern side.” It extends about thirty miles into the land in a northerly direction, and is from fifteen to eighteen miles wide; throwing off a branch in a west

pied for some time as a dependency of this colony in the year 1803 or 1804 ; and the history of its settlement and abandonment, at that early period in our colonial history, forms one of the most instructive episodes in the history of British colonization. One would have supposed, that in forming a settlement in such a locality as Port Phillip, the shores of the extensive inlet would have been examined, and the nature and capabilities of the adjacent country ascertained in some measure, before a spot was fixed on as a site for the settlement. It is evident that all this was done, to some purpose too, at Port Phillip ; for, as if to impress the black natives with a high idea of British discernment and perseverance, the royal standard was hoisted and the settlement formed on the only piece of sterile land within the heads. It followed, as a matter of course, that a settlement, which had been so judiciously formed, should be as hastily abandoned ; and it was only after exterminating a whole race of men in a neighbouring island, and converting their country into sheep walks and cattle runs, that the people of Van Dieman's Land accidentally discovered the very superior eligibility of the station which had been so wisely abandoned thirty years before. In short, the goddess that appears to have been the most frequently consulted in the formation of British colonies is the Goddess Chance, and no wonder

south-westerly direction, which extends into the land about fifteen miles, having an entrance of six or seven miles wide, and a small inner basin at its upper end, communicating with the larger one by a narrow navigable channel. Port Phillip is separated from Western Port by a narrow promontory forming the eastern side of the latter.

therefore that her eldest daughter Mis-chance should so frequently have lent her aid on the interesting occasion.

“ Port Phillip has been taken possession of within the last eighteen months by a whole company of squatters from Van Dieman’s Land, some of whom, it appears, have formed themselves into a company, and pretend to have purchased a large extent of land—for a mere trifle of course—from the black natives. It is scarcely credible, that men of understanding and experience in the world could imagine that the British Government would ever be so far lost to all sense of propriety and justice, as to sanction any transaction of this kind, now especially when so large a revenue is derivable from the sale of waste land, and when the funds arising from such sales are to be appropriated towards the encouragement and promotion of emigration. Why, it has already been ascertained, that there are at least upwards of three millions of acres of available land, generally equal to the best in Van Dieman’s Land, at Port Phillip. Now, supposing that the whole of this land were to be sold at the Government minimum price of five shillings an acre, (and the probability is that a large portion of it would bring much more) this sale would produce £750,000, and enable the Government to land at Port Phillip no fewer than twenty-five thousand families of virtuous and industrious emigrants. And is the British Government, after the thousand and tens of thousands of British money that have been expended in establishing this colony, to forego the opportunity of raising so large a revenue, and doing such a world of

good, both at home and abroad, merely because a few simple colonists of Van Dieman's Land, with Mr. Gellibrand at their head, after having killed or banished all the aborigines of that island, have come over to enact the solemn farce of purchasing whole earldoms in this island from its poor deluded black natives for a *ha'p'orth o' tay and a farthing's worth o' tobacco?*

“The European population of Port Phillip already exceeds two hundred souls: upwards of thirty thousand sheep, all imported from Van Dieman's Land, are now cropping the luxuriant vegetation of its natural pastures; and eight or ten vessels have been regularly employed for some time past in trading to and from Port Phillip to Van Dieman's Land, chiefly in carrying sheep and cattle to the new settlements. Indeed, the colonization of Port Phillip has supplied a wonderful stimulus to our Tasmanian brethren, and will be quite the making of the town of Launceston, from the entrance, to which it is distant only about twenty-four hours' sail. In such a state of things, it would be impolitic in the extreme for the British Government to defer extending the boundaries of the colony to Bass's Straits. The people at Port Phillip want protection; they want a government of some kind; they want land which they can call their own; and it behoves the British Government to grant them all the three as soon as possible. The vanguard of our colonial settlers in that direction have already advanced a hundred and ninety miles towards Port Phillip beyond the settlement of Yass, and the remaining distance to that port is not more than about two hundred and ninety miles. There are



herds of cattle collecting in the interior, with a view to being driven over-land to Port Phillip, as soon as the weather gets a little milder; and we hope ere long to hear of a good road and a steam-coach all the way."

Since the publication of this paper, the colonial boundary has been extended in the direction of Port Phillip to Bass's Straits; a commandant and police magistrate, an officer of customs, and three surveyors having been sent by His Excellency the present Governor, to take possession of the country in that vicinity, and to form a regular settlement on the part of Government. That settlement will very soon be one of the most important in the colony; and if the Government should allow the extensive tract of highly eligible land in its immediate neighbourhood to be sold for five shillings an acre, as is the case at present, it will infallibly prove a very awkward centre of attraction for the colonists of Southern Australia, whose extensive territory it closely adjoins; land in that colony being procurable only at a pound an acre.

I shall conclude this chapter with a brief sketch of the progress of geographical discovery in the interior of the Australian continent during the last three years, premising, however, this one observation;—that in the various localities I have already enumerated and partially described, there is abundant room for the settlement of the whole of the superabundant portion of the population of Great Britain and Ireland for a century to come.

Major Mitchell, the Surveyor-General of New South

Wales, was directed by His Excellency Sir Richard Bourke, to proceed on an expedition of discovery into the interior of the Australian continent, in the early part of the year 1835, to trace the Darling river, which had been discovered by Captain Sturt, and traced by that officer for about ninety miles in a southerly direction to its unknown outlet. Captain Sturt, it will be recollected, had subsequently discovered the outlet of another river on nearly the same meridian, when sailing down the Morumbidgee and the Murray to the lake Alexandrina, very far to the southward; and the problem to be solved by Major Mitchell's expedition was whether this river was the Darling.

Major Mitchell proceeded in a westerly direction, from Boree, a grazing station to the westward of the settlement of Bathurst, along the Bogan river, or New Year's Creek of Captain Sturt, till it emptied itself into the Darling. That river, he ascertained moreover, was the real receptacle and conduit of the waters of the Macquarie, which had been erroneously supposed by Captain Sturt to find their way into the Darling by a different channel; and along its banks, till it emptied itself into that river, he found moderately good land, with abundance of pasture for cattle, as well as of useful forest timber. The Darling he found impracticable for navigation in that part of its course, but he succeeded in tracing it for three hundred miles to the southward, from the point where it receives the waters of the Bogan; leaving only a hundred and thirty miles of its farther course, to the point where it is supposed to empty itself into the Murray, or Morumbidgee, unex-

plored. The valley of the Darling is evidently subject to inundations, which, from the long course it pursues to the southward, and from its being the general receptacle of the western waters, must be frequent and extensive. In general it is unpromising enough in its appearance; but as Major Mitchell discovered no fewer than thirty new varieties of grass in the course of his expedition, and entirely in the valley of the Darling, it must afford considerable facilities for the settlement and subsistence of a pastoral population. Major Mitchell's despatch, giving an account of this expedition, will be found in the Appendix, No. 1.

In the year 1836, Major Mitchell was again directed by Sir Richard Bourke to proceed to the interior, to follow up the discoveries of his former journey, by tracing the Darling for the remainder of its course. He had not returned to the colony when I embarked for England on the 29th of July last; but it seems he has not only effected his object, but discovered a tract of country of first-rate character, both in point of soil and of scenery, larger than the whole island of Great Britain, and ready in great measure for the plough. Whether this tract of country, which Major Mitchell has named AUSTRALIA FELIX, lies within the territory of New South Wales, or forms a part of the colony of Southern Australia, does not clearly appear; for the only notice of this important discovery which has yet reached England is contained in a very short quotation from Major Mitchell's despatch in a newspaper advertisement. The vessel that brought the newspapers containing that advertisement left the co-

lony about the middle of December last, but the journals containing copies of the despatch itself have not yet reached England, although the vessel in which they had been forwarded, and which appears to have been a dull sailer, had sailed some time before. A discovery, however, which would justify the designation of *Australia Felix*, and the glowing language in which Major Mitchell describes it in the quotation referred to, must be of transcendent importance to the mother country, as well as to the Australian colonies generally.

Should Major Mitchell's despatch arrive in England before the publication of this work, it will be inserted in the Appendix.



## CHAPTER VII.

ESTIMATE OF THE STATE OF MORALS AND RELIGION  
IN THE COLONY, WITH A VIEW OF THE EXISTING  
RELIGIOUS ESTABLISHMENTS AND DENOMINA-  
TIONS IN NEW SOUTH WALES.

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“Also Amaziah said unto Amos, O thou seer, go, flee thee away into the land of Judah, and *there* eat bread, and prophesy *there*: but prophesy not again any more at Bethel; for it is *the King’s chapel*, and it is *the King’s court*.”—Amos vii. 12, 13.

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THE state of morals in New South Wales was sufficiently low, previous to the era of free emigration in the year 1821. It is almost unnecessary to speak of the state of religion in such a condition of society as was then prevalent in the colony. There were “a few names,” however, “even in Sardis,” who had uniformly maintained a higher character; but they were

———— rari nantes in gurgite vasto;

“a few individuals struggling above water in the midst of a vast whirlpool of iniquity and pollution.”

From the period above mentioned, however, the colony began to assume a more favourable aspect. Con-

cubinage was gradually discountenanced in the higher circles of the colony, and of course gradually disappeared from the face of society ; for although still practised by a few *old offenders*, the daily increasing array of well-ordered families, both among the free emigrant and the more reputable portion of the emancipist population, has in great measure driven that particular form of colonial profligacy into the shade.

It is scarcely, however, from the higher classes of colonial society—whether Government-officers, lawyers, landholders of the higher class, or merchants—that a healing influence can be expected to emanate, to cleanse and to purify the land. The men who are “*clothed in purple and fine linen, and who fare sumptuously every day,*” may be powerful to do good from their wealth and their station in society ; but that good is but rarely done, and the influence they exert on society is of consequence far more frequently evil. Even their profession of Christianity—a sort of fashionable accompaniment of gentility wherever there is a dominant state church—is unquestionably far more hurtful than beneficial to the cause of pure and undefiled religion ; for the vessels of the House of God are for the most part polluted by their desecrating touch, and the day of God profaned by their unholy example. Despicable avarice, pitiful meanness, and the practice of downright injustice are by no means completely banished even yet from the genteel circles in New South Wales ; and I have sometimes been surprised to find how small a portion of honourable principle had gone to furnish out a stock in trade in the colony for honourable men. In short, the

influence of the higher classes in New South Wales has been for the most part decidedly unfavourable to the morals and religion of the country.

The moralist will ask, therefore, how it fares with inferior classes in the colonial community; and in reference to such a question, it must be acknowledged, that in directing the eye towards those who occupy the lower steps of the colonial ladder, especially in the towns of the colony, the prospect is sufficiently discouraging. The first ambition of a newly emancipated convict is to be employed as a constable—a situation which ensures him sufficient pay for his maintenance, and enables him to lead a life of comparative inaction. The next object of his ambition is to obtain a license to keep a public-house; which, however, is easily obtainable for £25 per annum, provided his house and character are sufficient to satisfy the visiting magistrates. The number of these nuisances has increased prodigiously in the colony during the last few years, and the consumption of ardent spirits has increased proportionably. In the year 1823 the free population of Sydney amounted to from eight to nine thousand persons, and the number of licensed public-houses was eighty-three, that is, one for each hundred persons. There were various other houses, however, that sold *on the sly*, as it is called, or without a license; and most of the respectable families of the town were supplied by the wholesale dealers or merchants, who are empowered by an Act of Council to sell spirits or wine in quantities of not less than two gallons without a license. During the ten succeeding years, the population of Sydney

more than doubled itself; but the number of public-houses increased in a much higher proportion. There is reason to believe, however, that the number of unlicensed grog-shops is at present comparatively smaller than it was in 1823, from the greater efficiency of the Sydney police. The number of licensed public-houses in Sydney is now upwards of two hundred: the licenses alone produce an annual revenue to the Government of more than £5000, exclusive of the direct duties on spirits, which amount for the whole colony to £117,000 per annum.

The supposed profitableness of the business is doubtless the chief source of attraction on the part of the noble army of colonial publicans. Indeed, I have been repeatedly vexed and mortified exceedingly at finding free emigrants, or the sons of free emigrants, of reputable standing in the colony, who I knew were influenced by this consideration alone, degrading themselves and ruining their families by becoming retailers of ardent spirits to the vilest of the vile. In one case of this kind, in which I was apprised beforehand of the intention of the family, I employed every argument I could think of to induce them to forego that intention, but unfortunately without effect. I foresaw and foretold them the result: accordingly I was called to visit the family a few months afterwards in a clerical capacity; and, on ferreting my way through clouds of tobacco-smoke and the sickening fumes of rum, I found the wretched husband struck with *delirium tremens*, and lying apparently in the jaws of death; while his distracted wife was wringing her hands at his bedside, and



his children bathed in tears. A depraved taste, however, and the love of a lazy indolent life, are additional sources of attraction in many instances; and I am sorry to add, that certain even of the native youth of the colony have exhibited these grovelling dispositions, and enrolled themselves in the despicable list of publicans of the lower class, instead of endeavouring to earn an honest livelihood like reputable men.

Whether the number of public-houses in Sydney ought to be limited by authority, is a question I have been asked in the colony, but which I professed myself unable to answer. I am inclined to believe, however, that the influence to be employed successfully in counteracting so enormous an evil must be of a totally different kind—and that the cruse of purifying salt, which alone can be expected to heal the bitter waters, must be cast in at the fountain-head, or at least much higher up the stream.\*

I had found on inquiry several years before, that a

\* There has been a Temperance Society in Sydney for some time past, with auxiliaries in other parts of the colony; but it has not as yet made much progress, notwithstanding the zeal and activity of certain of its members. The grand mistake consisted in allowing the importation and consumption of ardent spirits from the first in a convict colony; and the best means of remedying the enormous evil that has resulted from a state of things so thoroughly monstrous, would be the absolute prohibition both of the importation and the manufacture of ardent spirits in the colonial territory. The respectable colonists begin to perceive that a measure of this kind would tend greatly to the advancement of their pecuniary interests as well as to the general advancement of the colony; and there is no doubt whatever but that the attempt to carry such a measure would be made and well supported, if the colony had only a respectable legislature.

great proportion of the money expended in the public-houses of Sydney was expended by mechanics—chiefly of the class of emancipated convicts—whose wages, I ascertained also, were sufficiently high to enable them to spend several days every week in low dissipation, to the great annoyance and the serious loss of their employers. It appeared to me, therefore, that the only effectual remedy for so great an evil would be to introduce into the colony a number of reputable and industrious free emigrant mechanics from the mother country, who by working at their several handicrafts six days every week, and expending their earnings in a proper manner, would in due time render the means of dissipation less easily attainable by the emancipated convict-mechanics, and withdraw the means of support, to a certain degree at least, from the colonial publicans. Attempts had doubtless been repeatedly made by individual colonists to carry out mechanics to New South Wales, under engagements to serve for a sufficient length of time in the colony to repay the expense of their passage out; but these attempts had always been unsuccessful, the mechanics uniformly breaking through their engagements as soon as possible.\* It appeared to me, however, that if mechanics only of proper character were selected, they would faithfully fulfil their engagement, provided that engagement were an equitable one; for it often

\* The testimony of John Macarthur, Esq. on this subject is very explicit: "There is no instance on record," says that gentleman, "where settlers have been able to prevent their indented servants, hired in England, from becoming dissatisfied, and then leaving them after their arrival."

happened, in the instances I refer to, that a breach of engagement on the part of the servant or mechanic had been occasioned by a previous attempt to overreach him on the part of the master or employer—the mechanic being generally hired in the mother country to labour for a term of years in the colony at English, instead of colonial wages.

On my arrival, therefore, in England for the second time, in December, 1830, Lord Viscount Goderich, His Majesty's Principal Secretary of State for the Colonies, having been pleased to grant a loan of £3500 from the Colonial Treasury, to assist in establishing a college for the education of youth in the town of Sydney, it appeared to me, that if part of that amount were to be advanced, in the first instance, in providing a passage to New South Wales for a number of free emigrant mechanics with their wives and children—these mechanics to be under engagement to erect the college-buildings, receiving the current wages of the colony, and leaving a certain proportion of these wages to repay the expense of their passage out—the proposed experiment, so highly important in its possible bearings on the moral welfare of the colony, would receive a fair trial, while the interests of the Institution would not be prejudiced. Lord Goderich was pleased to approve of the measure, and I accordingly chartered the *Stirling Castle*—a vessel of three hundred and fifty tons; and carried out to the colony in the year 1831 a number of free emigrant mechanics with their wives and children on the conditions above mentioned; the whole party amounting to one hundred and forty persons.

These mechanics consisted chiefly of house-carpenters and stone-masons, with a few plasterers, blacksmiths, cabinet-makers, rope-spinners, and coopers: I had selected them all myself chiefly in Edinburgh, Glasgow, Greenock, and Ayrshire. They were from all parts of Scotland; for as I had reason to believe they would all do well in the colony, it seemed likely that a much more extensive emigration of their friends and connexions would afterwards ensue, if the intelligence of their success could be spread over a wide extent of country, than if the original emigration had taken place from any particular locality. The mechanics were under engagement to pay at the rate of £25 for the passage of each adult person in their respective families by weekly instalments from their wages after their arrival; those of them whose services were available in house-building to be employed in the erection of the college-buildings.

We arrived in the colony in October, 1831, and in seven days after the college-buildings were commenced; the average rate of wages for good mechanics being then £2 sterling a week. In six or eight months, all the unmarried men had paid the whole of their passage-money by weekly instalments from their wages; and when the buildings were at length necessarily discontinued for a time, the greater number of the married mechanics had paid about two-thirds of theirs. In short, the experiment proved completely successful.

*The Scotch mechanics*, as they were called in the colony, were men of superior ability in their respective handicrafts; for I had required them, previous to their



being engaged, to produce certificates of their mechanical skill, as well as of their moral character, and their connexion with some Christian congregation. In addition, therefore, to the other consequences of their importation, they greatly improved the style of architecture throughout the colony; and, by becoming contractors for public buildings, they have already enabled the Government to erect superior buildings at a much cheaper rate than had previously been current in the colony.

But it was the moral influence of their example, as sober and industrious men, that was of greatest importance to the community. A few months after their arrival, no fewer than sixteen of them joined together in the purchase of an allotment of ground in the town of Sydney, which was afterwards surrendered to eight of the number: seven of them subsequently entered into partnership, as contractors for the erection of the stonework of various public and private buildings both in Sydney and in the interior: several others had purchased allotments on their own private account, after paying for their passage out, and erected good houses of stone for their own residence in the colony; and individuals of their number had even sent home money to their poorer relatives in Scotland. Nay, before fifteen months had elapsed from the period of their arrival, several other families and individuals of a similar class in society had arrived in the colony from various parts of Scotland; having emigrated to New South Wales solely in consequence of the favourable intelligence they had received from their relatives of the state of the

country, and of the prospect which it held forth to persons of a similar station in life.

There was some difference of opinion in regard to the average rate of wages in the colony immediately after our arrival ; and some of the mechanics, who had been deputed by the rest to make inquiries on the subject, being naturally desirous that they should be fixed at as high a rate as possible—viz. at £2. 2s. a week—I observed to them, with a view to have the rate fixed somewhat lower on behalf of the Institution, that as soon as it should be known in Scotland that they were actually receiving such wages as they required, a whole host of additional mechanics would forthwith be poured into the colony ; leaving them to infer that the wages of mechanical labour would eventually be reduced to a much lower rate. “ So much the better, Sir,” said one of their number, who had been studying Adam Smith ; “ the demand will increase with the supply.” I confess I was of a different opinion at the time, but the result has fully justified the mechanic’s anticipation ; for although a very great number of reputable mechanics arrived in the colony subsequently to the period I refer to, and established themselves in various departments of business in the town of Sydney ; the demand for mechanical labour kept pace so regularly with the supply, that the average rate of wages for such mechanical labour as is required in house-building was still £2 a week and upwards, up to the time of my leaving the colony for England in July last.

But the emigration of reputable and industrious persons of various other classes of society has kept pace

with the emigration of mechanics from Great Britain to New South Wales during the last few years ; and their influence in the colony generally has been salutary in the highest degree. I shall have occasion to speak particularly of the influence and effects of *female emigration* in the sequel. In short, from the period of the arrival of the Scotch mechanics, a visible and striking change for the better has gradually been effected in that important and highly influential portion of the population of the colonial capital to which they belong ; and men of intelligence and reputation all over the territory have consequently seen with their eyes, and are now convinced, that the most effectual and the best means of elevating the moral tone of the colony, and of promoting its general advancement, would be to import at the public expense, and to settle all over the territory, a numerous, industrious, and virtuous free-emigrant population.

In forming an estimate of the state of morals in the Australian colonies, it must not be forgotten, that although many of the free emigrants, who have settled in these colonies during the last forty-five years, have uniformly been men of reputable character and respectable standing in the world, others have been driven to emigrate as a sort of *dernière ressource*, after every expedient for gaining a livelihood in the mother country had completely failed ; and it sometimes unfortunately happens that such persons are just as bankrupt in character as in purse. In the heavy sea of adversity they have had to encounter, in their unsuccessful attempt to reach the port of Fortune, they have not only had to

cast their lading overboard, but have also had the bulwarks of their virtue swept away.

The very length of the voyage from England has exerted a demoralizing influence on the free-emigrant population of the Australian colonies ; inasmuch as it sometimes induces habits of indolence, which are afterwards not easily overpowered ; while the more frequent and sometimes unlimited use of wine and ardent spirits on ship-board, insensibly produces a taste for that species of dissipation. I have known young men of the fairest promise at their outset in the world, who had acquired habits of this kind on their passage to the colony, and whose subsequent lives were a mere alternation of listless inaction and low dissipation. To persons who are indisposed to literary avocations, life is often a complete blank at sea ; and it is sometimes so much worse, that I have often thought it would subserve the interests of morality in New South Wales, if the Faculty could administer to many hopeful adventurers, on their embarking for that colony, some opiate which would lay them sound asleep till they got within the Heads of Port Jackson : for, in opposition to the poet's maxim,

*Non mutant animos qui trans mare currunt ;*

“ Men do not change their dispositions by merely crossing the sea,”—I can testify, from my own observation, that many persons, and especially young men, really become worse members of society than they were before, in the course of a long voyage.

Nay, I am confident that the ruin of many a



young man in the colonies, of the class of clerks and adventurers in general, may be dated from the hour when he first planted his foot on a ship's deck. A young man of this class, arriving in the colony from Scotland, naturally attends the Scots Church in Sydney for a few Sabbaths after his arrival; and when he hears the Psalms of David sung to the ancient melodies of his father-land, by a congregation of his countrymen at the extremity of the globe, the hallowed scenes of his boyhood recur to his recollection with overpowering influence; and he almost exclaims, with the patriot king of Israel, "*If I forget thee, Jerusalem, let my right hand forget her cunning, and my tongue cleave to the roof of my mouth.*" By and by, however, he is invited to spend a Sunday with Mr. Whalebone the merchant, who prefers a drive to Parramatta or a water-excursion in the harbour to all the prayers and sermons in the colony, and who, perhaps, generously furnishes the young Scotchman with a list of cogent reasons, why he—Mr. Whalebone, to wit—does not attend divine service in the colony, and why his young friend from Scotland should discontinue his attendance also: indeed, brandy and water and Manilla cigars over-night are a bad preparation for the hallowed exercises of the sanctuary of God; and the visits of the hopeful youth, who has had a seasoning perhaps on shipboard, and who is now almost completely climmatized, are consequently few and far between. The progress to downright infidelity on the one hand, and to downright dissipation on the other, is short and rapid; but in all probability it is neither so short nor

so rapid, but that the young man's relatives in the mother country may have heard betimes of the state of matters in regard to "the hope of their family" beyond seas, and may write him by every opportunity, in the bitterness of their heart, to endeavour if possible to save him from utter ruin. The letters are read as a matter of course, and perhaps their contents awaken a sudden pang of remorse in the first instance; but the emotion is merely momentary, and it probably gives way to a feeling of anger at the *ungenerous and unjust suspicions*, forsooth, that are entertained respecting him; and this feeling in all likelihood issues in a fixed determination to write no reply. The letters that are thenceforward received from the same quarter by every opportunity, are perhaps coolly deposited by the tender-hearted youth with their seals unbroken in the bottom of his trunk, because, forsooth, *they are all about the old story*; and the circumstance is perhaps brought to light by an utter stranger to his family after his death; which in some cases of the kind is alarmingly sudden and unexpected, in others slow and sure. I have followed the remains of such individuals to the grave; and as I read their age, or, to speak more properly, their youth, on the black tin-plate on their coffin-lid, while the corpse was lowered slowly into its narrow house, I have fancied I saw the aged mother sitting at the door of her cottage in some solitary Scottish glen, and weeping bitterly as she reminded her still more sorrowful but all-silent husband, how many months had elapsed since they had last heard from their son; and I have thought how the tidings of the scene I had just wit-

nessed, when they reached the distant Scottish glen, would break the heart of that mother, and bring down the gray hairs of the father with sorrow to the grave!

There are three other sources of colonial demoralization, besides those I have already enumerated, to which I shall shortly allude. The first of these is the colonial press, which in time past, as I have already hinted, has with only few exceptions been an instrument of evil instead of good, while in many instances it has been a mere receptacle and propagator of downright black-guardism. The filth and abomination of the British metropolis are very properly allowed to find their way to the river in large common sewers underground; but the conductors of the colonial press have hitherto, with only one exception, made it a regular practice to spread the filth and abomination of Sydney on the public tables of the colony, in the form of lengthy police-reports; of technical descriptions of those interesting scenes in which one brute breaks the jaws of another with his clenched fists used as a hammer; or of glowing accounts of those more fashionable arenas, where that wealthy colonist, Mr. Woolpack, degrades himself beneath the level of a gentleman, by betting lustily on the abilities of his thorough-bred Australian racers with persons who were only yesterday transported felons.

The spirit of litigation, which prevails in New South Wales to a prodigious extent, and which is naturally fostered by the legal profession, whose name in the colony is *Legion*, is also a copious source of colonial demoralization. It is not surprising, indeed, that such a spirit

should prevail among the class of emancipists ; for those who have themselves been *brought up to the bar*, may be supposed likely to patronize the legal profession. It is by no means confined, however, to persons of that class ; and the scenes of downright malice and downright villany that are too frequently exhibited in the Supreme Court of the Colony, in the case of vexatious law-suits instituted by one free emigrant against another, can only be accounted for on the supposition, that such individuals belong to that class of emigrants, who have arrived in the country as destitute of right principle as of ready money.

The general prevalence of a spirit of grasping avarice among the buying and selling portion of the community has also had a most unfavourable influence on the morals of the colony. The idea of asking a fair price for an article was seldom thought of in the colony, till within the last few years : the grand question was, how much could be got for it by any means ; and I am sorry to add, it was not always considered, even in quarters where one should have expected better things, whether the means were fair or otherwise. I am happy to state, however, that the mercantile transactions of the colony, both in the wholesale and retail departments, are now conducted on a much better system. The profits on particular speculations have gradually become more and more reasonable, in proportion as the field of mercantile enterprise has widened, and competition increased ; while the numerous reputable free emigrants, who have recently arrived in the colony, and established themselves as dealers in general, or as manufacturers of



articles for sale in various branches of business, have already made sad inroads on the province of the old colonial extortioner, by asking only a reasonable profit on their articles of merchandise, or a reasonable price for their labour. In short, the mercantile pulse of the colony does not beat quite so high at present as it did formerly ; but it indicates a much higher state of health in the body politic of the country.

Colonial religion is a subject which an honest man can scarcely approach, without giving prodigious offence. God forbid, however, that I should be deterred for one moment by any such consideration, or even by the personal inconvenience or hardship it may occasion myself, from opening the eyes of the reader to the true state of the colony in that most important particular ! I trust the following remarks on colonial religion will exhibit the same impartiality which, I am confident, I have already evinced in treating of the less weighty concerns of colonial policy and colonial agriculture.

For many years after the settlement of the colony, the only ministers of religion who were permanently stationed in the territory were colonial chaplains of the Church of England. One would have thought, that in a penal colony, ruled by the lash and awed by the bayonet, it would have been the policy of the Government and the dictate of common sense, to have kept this spiritual machinery, scanty and inefficient as it was in its best estate, unsuspected in its character and unencumbered in its wheels : but it seems as if some spirit of darkness had obtained the patent of Colonial Adviser-General on the first settlement of the colony, and

had, in order to prevent, if possible, the reformation of its depraved inhabitants, cast poison into every spring ; for, in order completely to neutralize the moral and religious influence of the colonial chaplain, he was generally made a magistrate of the territory or a justice of the peace. It was natural for the colonial chaplain, whose ordination was perhaps conferred exclusively *for foreign parts*, to regard such an appointment as a desirable accession to his colonial respectability, and to be altogether insensible to the clerical degradation to which it really consigned him : but in what light will the man of proper feeling, the man of Christian education, regard such an appointment, in a state of society, in which the most frequent duty of a magistrate has hitherto been to sentence the *prisoner at the bar* to twenty-five or fifty lashes ? Was this befitting employment for a minister of the Gospel of peace ? Was it likely to recommend either his message or his Master, or to conciliate kindly affection towards himself ? In other countries the clergy have often been accused of taking the *fleece* ; but New South Wales is the only country I have ever heard of, in which they were openly authorized, under His Majesty's commission, to take the *hide* also, or to flay the flock alive. Under so preposterous and so enormous a system, well might the miserable wretch, whose back was still smarting under the Saturday's infliction, join in the oft-repeated prayer of the Litany on the Sunday morning, " Lord, have mercy upon us ! " and well might he add, from the bottom of his heart, " for his Reverence has none ! " I should be sorry to insinuate that clerical magistrates were in any instance more severe in their penal in-

fictions than laymen : on the contrary, I should imagine they were generally the reverse. All I mean to assert is, that, in such a state of society as has hitherto prevailed in the Australian colonies, the union of the clerical and the magisterial authority was a monstrous conjunction, and was directly calculated to neutralize the moral and spiritual influence of the clergyman, and in so far to prevent the Christian religion from taking root in the land. I am happy to state, however, that the system of appointing clerical magistrates was at length discontinued by order of the Right Honourable Earl Bathurst, during the government of His Excellency General Darling, in consequence, I believe, of certain representations on the subject which had found their way into the House of Commons.

In the earlier times of the colony, the emoluments of a clergyman were comparatively small ; and in those seasons of scarcity, which at that period so frequently occurred, they were insufficient for the maintenance of his family. Grants of land were accordingly given to clergymen, as well as to military and civil officers in the service of the Government, and to private individuals ; and the colonial chaplain was consequently tempted to engage extensively in the pursuits of grazing and agriculture. But the practice once admitted continued to subsist long after its necessity had ceased ; and the genuine representatives of the sons of Aaron in the colony stood forth at length before the Australian community, as illustrious in the list of colonial graziers, as their brethren of the tribes of Reuben and Gad, and of the half tribe of Manasseh. Nay, as there was a period in the history of the colony, when free emigrants

were entitled to an extent of land proportioned to the actual amount of their real property, lists of clerical heifers and clerical sheep were exhibited to the Government to so patriarchal an amount, that the question, as to what quantity of land the reverend applicant should in such cases be held entitled to, had actually to be referred by the Colonial Executive to Earl Bathurst, who accordingly gave orders that no clergyman's grant should in future exceed twelve hundred and eighty acres.

So precious an example in the *high places* of the colony was likely to exert a most pernicious influence on the whole clerical and missionary order throughout the territory. Even the followers of Wesley were not exempt from the foul contagion; and missionaries, forsooth, who had been sent forth with the prayers of the British public and the benedictions of the London Missionary Society, to convert the heathen in the numerous isles of the Pacific, were at length found *converted* themselves into stars of the fourth or fifth magnitude in the constellations Aries and Taurus, or, in other words, in the sheep and cattle market of New South Wales.

The influence exerted meanwhile on the laity of the colony was prejudicial in the extreme to the interests of genuine religion. The example daily before their eyes necessarily produced a universal lowering of the high standard of Christianity throughout the colony: it encouraged individuals to conjoin the desperate pursuit of gain with the profession of godliness, and enabled them notwithstanding to *purchase to themselves a high degree* in Christian congregations: it identified



the worship of God, in the estimation of the infidel and the scoffer, with the most servile idolatry of Mammon—the show of piety with the practice of extortion.

It is doubtless in consequence of the sort of influence I have just mentioned, that so much anxiety is uniformly evinced in the Word of God, that the ministers of religion should approve themselves disinterested men, and should *covet no man's silver, or gold, or apparel*; and the lower the standard of morals and religion has sunk in any country, I conceive there is just the more imperious necessity for disinterestedness on the part of the clergy. “*Is it a time,*” said the prophet Elisha to his servant Gehazi, when the greedy hireling had followed the chariot of the Syrian lord, and obtained a portion of his pelf, under pretence of receiving it for his master—“*Is it a time to receive money, and to receive garments, and olive-yards, and vineyards, and sheep, and oxen, and men-servants, and maid-servants? The leprosy, therefore, of Naaman shall cleave unto thee, and unto thy seed for ever.*” \* The Church of God may be deserted for a season, and disesteemed, and trodden under foot of men; but, if her hands are undefiled with *the accursed thing*, and if her heart is still right with her Almighty Preserver, she will at length *look forth as the morning, fair as the moon, clear as the sun, and terrible as an army with banners*. On the other hand, if *the wedge of gold and the Babylonish garment* are found *hidden in the tents* of the clergy, as is too frequently the case in all communions both at home and abroad, the

\* 2 Kings, v. 26.

armies of Israel will assuredly experience defeat and disaster from the Canaanites of the land.

But the greatest calamity that has hitherto befallen the Australian colonies, in regard to their moral and religious welfare, is the prevalence of a jealous, exclusive, and intolerant system of Episcopal domination. In what way the idea arose, I cannot tell; but till very recently it was uniformly taken for granted, as a thing which admitted of no question, by the Episcopal clergy and the military Governors of New South Wales and Van Dieman's Land, that the Episcopal Church, or Church of England, was the Established Church of these colonies, or the only Church (for that was the meaning of the phrase) which had a right to expect any thing from the Government, or which the Government ought in any way to patronize or encourage. So long as the Australian colonies were a mere jail for the reception of felons, it was doubtless just and right that the chaplains of that jail should be Episcopal chaplains exclusively; for upwards of nine-tenths of the convict-inhabitants of the jail were natives either of England or of Ireland, where Episcopacy reigns in all the pomp of her power, and in much of the loneliness of moral desolation. But when these colonies were at length thrown open to free emigrants, and when numerous respectable families and individuals settled in their fertile and extensive territories, it was speedily found that at least one half of the free emigrant Australian colonists were Scotsmen and Presbyterians.

So entire a change in the character and composition of the Australian population argued a necessity for

some corresponding change in the colonial ecclesiastical system. The Scottish nation, it is well known, rejected the yoke of Episcopacy, even after it had been violently forced upon it by the military executions and the *autos-da-fe* of Charles the Second; and if the moral and spiritual health of the Scottish people continued to improve in succeeding generations, they are still persuaded it was owing chiefly to that happy event. Was it just or right, therefore, that Scotsmen and Presbyterians, emigrating to recently established British colonies, in which the natives of any one of the three united kingdoms had an equal right with the natives of either of the other two to the same civil and religious immunities as they respectively enjoyed at home, should be subjected to a yoke which their forefathers had cast off and broken? Was it just or right, after the Government had held forth the same advantages to the Scottish emigrant in these colonies as were enjoyed by the English or the Irish, that the Scotsman alone should find himself deceived, in a matter which most intimately concerned his real welfare, after having traversed half the circumference of the globe?—that he alone (unfortunate, unconsecrated heretic!) should be held to belong to a proscribed church and a proscribed religion? Was it just or right, that the Scotsman alone should receive no benefit from the liberal provision which the Government professed to make for the religious instruction of the colonists and for the education of their youth, unless he renounced the faith of his forefathers, and suffered his child to be delivered over into the hands of proselytising Episcopalians?

Such, however, till very recently was the hard measure uniformly dealt out to Scotsmen and Presbyterians by the military governors, acting agreeably to the instigation and advice of the Episcopal authorities of New South Wales and Van Dieman's Land: for if some provision was eventually obtained from the colonial revenue for a few Presbyterian ministers of the Scottish Church in these colonies, it was obtained solely in consequence of express orders from home—after many hardships and humiliations, much suffering and sorrow. In almost every instance, it was *won*, as it were, like *the portion of Jacob from the Amorite, with the sword and with the bow*.

There had been no minister of the Church of Scotland in New South Wales previous to my arrival in the colony in the month of May, 1823. My own determination to proceed thither in that capacity—a determination which had arisen from a train of circumstances and events which it is unnecessary to enumerate—had been regarded by the Church to which I belong, and to which I trust I still cherish the fond affection of a dutiful son, with all that cold-blooded and unnatural indifference, which, I am truly sorry to acknowledge, the Church of Scotland long evinced in regard to the moral and religious welfare of the children of her people in the colonies.\* Even my own personal friends among the Scottish clergy regarded the step I was about to take as a hair-brained and desperate adventure; and as none of the many religious societies of Scotland

\* I am happy to state that a very great improvement has taken place in this respect within the last few years.



were likely to patronize any such undertaking, I was left to bear my own charges, and to find my way as I best could—a solitary, friendless wanderer—over the dark blue sea.

On my arrival in the colony, a congregation of Scots Presbyterians was speedily formed; and shortly after it was proposed to erect a Scots Church in Sydney, upwards of £700, as a commencement, being subscribed for the purpose in a few days. Contrary to my advice, the laymen, who had been appointed a committee of management to conduct the affair, determined to memorialize the Government for assistance from the Colonial Treasury previous to their commencing operations; as such assistance had been previously extended to the Roman Catholics of the colony. A respectful memorial was accordingly presented to the Governor, stating the progress which the Presbyterians had made, and soliciting assistance from the Colonial Treasury; His Excellency being at the same time privately informed that the Presbyterians wished to erect a plain, unassuming building, to cost about £2000. Sir Thomas Brisbane, who was then Governor of New South Wales, being himself a Scotsman and a Presbyterian, and a subscriber for the erection of the Scots Church, was of course well disposed to the measure; but he unfortunately suffered himself in that, as in many other instances, to be governed by the Colonial Secretary, who persuaded His Excellency, contrary to the uniform tenor of his own experience and observation, that Scots Presbyterians were a factious and dangerous people, whom it was impolitic to encourage. Sir

Thomas Brisbane was therefore induced to read publicly, subscribe, and publish in the colonial newspapers, a Reply to the Presbyterian memorial which the Colonial Secretary had concocted ; and in which the Presbyterians were told, that it would be time for them to ask assistance from the Government when they showed they could conduct themselves as well as the Roman Catholics of the colony, who at that time were almost without exception either convicts or emancipated convicts. Nothing can more strongly indicate the state of vassalage to which Sir Thomas had allowed himself to be reduced at the period I refer to, than his signing a document conveying so offensive and so unmerited a censure on a number of his own countrymen. But the reasoning employed to induce him to put forth such a document was not less singular than the document itself. Certain of the civil and military officers of the colony, of whom a considerable number were Scotsmen, had been in the habit of attending divine service in the temporary Scots Church ; and the circumstance was deemed unseemly in itself, and unfavourable to the maintenance of Episcopalian supremacy in His Majesty's colony of New South Wales.

I expected that the gentlemen who had presented the memorial, and who were all civil officers or merchants of the highest respectability in the colony, would address a firm but respectful remonstrance to the Governor on the subject of the imputations he had thrown on the Scottish Church and nation in his Reply ; but no such document being forthcoming, I felt myself

called on to write to him myself, as a minister of the Scottish Church, and an individual of the Scottish nation. In the course of His Excellency's Reply to the Presbyterian Memorial, it had been stated that "Toleration was the glory of the Church of England; and, therefore, if Presbyterians did not approve of her ritual, she did not forbid them to worship in any other way which they might think more likely to glorify religion." In my letter to His Excellency, I observed, in reference to this statement, that "Toleration was not the glory of the Church of England, but of the British Constitution: Scotsmen were not, therefore, reduced to the necessity of receiving toleration as a boon from the Church of England: their civil and religious liberties were won for them by the swords of their forefathers; and they were a degenerate race, if in every situation they did not vindicate their right to both." The other parts of my letter were deemed sufficiently dutiful and respectful; but the passage I have just quoted was considered so offensive at Government-House, that Sir Thomas immediately despatched his aide-de-camp to the Bank of New South Wales, where the list of subscribers for the erection of the Scots Church was deposited, to erase his name, and those of all his family and suite from the list.

The Memorial and Reply, having been both published by authority in the colonial newspaper, were carried to England by a Scotch gentleman, who felt interested in the affair, and handed to the Scotch editor of the *Morning Chronicle*; in consequence of whose remarks on the whole transaction Earl Bathurst spontaneously

directed Sir Thomas Brisbane immediately to advance one-third of the whole estimated cost of the Scots Church from the colonial Treasury, and afterwards directed that a salary of £300 per annum should be paid to the minister; "regretting," at the same time, "that His Excellency had put to their probation members of the Church of Scotland in the colony—the Established Church of one of the most enlightened and virtuous portions of the empire."

In the mean time, however, Sir Thomas Brisbane had perceived his error in the steps he had taken towards the Presbyterians, and I am most happy to acknowledge, that he did every thing in his power to repair the injury it had occasioned: but it often happens, that the man who is all-powerful to do evil, is utterly powerless to do good, when that evil is once done. His Excellency's procedure, in regard to the Presbyterian Memorial, entailed a debt on the Scots Church, the very interest of which has regularly cost myself individually £100 a year.

The circumstances attending the settlement of the Scots Church in Sydney, and the state of another body of Presbyterians in the colony, in regard to the ordinances of religion, rendered it expedient for me to proceed to England in the month of August, 1824. I returned again to the colony in January, 1826. During my absence, the Rev. Thomas Hobbes Scott, having been appointed by His Majesty's Government arch-deacon of New South Wales—an office which was then instituted for the first time—with a salary of £2000 a year, had arrived in the territory. Mr. Scott was by



no means a young man, and he had passed through all the previous scenes of his life as a layman. It was commonly reported in the colony, that he had originally been in business in the city of London, and that he had afterwards been attached to the British Consulate in one of the Italian ports of the Mediterranean: he had made his *début*, however, in the colony several years before, in the subordinate and lay capacity of clerk or secretary to Mr. Commissioner Bigge—a gentleman, who had been deputed by the Home Government to inquire into the circumstances of the colony during the government of Major-General Macquarie; of which a Report was subsequently presented to the House of Commons. I presume it was in consequence of that Report that the Government were induced to appoint an archdeacon for the Australian colonies; and, as Mr. Scott happened very opportunely to enter into holy orders while the matter was under consideration, he received the appointment.

Mr. Scott's private character and general education were unexceptionable; but his theological attainments were necessarily extremely meagre; and his previous manner of life, and especially the circumstance of his having already appeared in the colony in so different a capacity, rendered his appointment injudicious in the highest degree, and betrayed a lamentable want of consideration for the real welfare of the country. Of the doctrines and practice which constitute what is styled by the Christian world *evangelical religion*, Mr. Scott had evidently no clear idea. Viewing religion as a matter of state policy, and the colonial Episcopal clergy

as a chartered body possessing the exclusive monopoly of intermeddling with its concerns, his maxim evidently was, "Let Episcopacy reign alone in the Australian colonies, and let no Presbyterian dog be permitted to bark within her ample domain."

During my absence in England, an Act had been passed by the Legislative Council of the colony, of which the Archdeacon was an active and influential member, for the due registration of all births, marriages, and burials, within the territory. By this Act it was enacted, that any minister of religion solemnizing a baptism, marriage, or burial, in the colony, should transmit a certificate thereof to the *minister of the parish* in which the said service was performed, within four days after, under pain of a fine of four Spanish dollars; the said fine to be appropriated agreeably to the provisions of an Act for the suppression of *rogues and vagabonds*! It was impossible to mistake the meaning of this precious morsel of colonial, or rather of archidiaconal, legislation, or its particular reference to my own case, and to that of all other ministers of the Presbyterian Church, who might afterwards be settled in either colony: but lest I should by any means be able to plead ignorance on the subject, the Episcopal minister of the parish, in which the Scots Church in Sydney is situated, called at my house, I presume by the Archdeacon's order, the instant he heard I had returned to the colony, with a blank register containing forms of certificates, and having the *four-dollar or rogues-and-vagabonds'* Act printed in large characters on its first page. I confess it would

have somewhat aggravated the humiliation to which it was thus proposed to subject the ministers of the Church of Scotland in both colonies, to have been obliged to send our certificates (as would have been the case in certain instances in both settlements, which it is unnecessary to particularise) to men who had never been within the walls of a college: for with all her pretensions to exclusive learning and exclusive education, Episcopacy, like an ancient king of Israel, not unfrequently makes her *priests of the high places* in the colonies, of those *who are not sons of Levi* in the academical sense of the phrase. I examined the Act carefully, however, and finding, to use a maritime expression, that it was by no means *water-tight*, although it had been evidently *tarred and pitched* for the purpose by a high colonial functionary, I resolved to send no certificates, and to leave those whom it concerned to sue for the four dollars, to be appropriated for the suppression of rogues and vagabonds, whenever they pleased. Nine months were suffered to elapse before I was informed against to the colonial government; but, on representing to the latter that the Act had neglected to specify the particular standing of a minister of the Church of Scotland in the colony, and had not explicitly declared that he was not to be considered *one of the ministers of the parish* in which he officiated, it was arranged that the Scotch certificates should be forwarded to the Colonial Secretary, and not to the Colonial Episcopacy.

During my first residence in the colony, I had solemnized a marriage agreeably to the forms of the

Church of Scotland, in the case of a Scotch officer, of the East India Company's service, who wished to be married according to the customs of his nation. Some obstacles had been thrown in the way in the first instance ; but, on representing what I conceived to be the state of the law on the subject to the Attorney-General, and obtaining the written opinion of that officer, that there was no law to prevent the solemnization of a marriage in the manner proposed, the Governor's license was given forthwith. After the Archdeacon's arrival, however, the Attorney-General, who was by no means a man of strong mind, retracted his opinion ; and the Governor's license, in the case of another Scotch officer, who also wished to be married agreeably to the Presbyterian form, was accordingly refused. I did not consider the right to solemnize marriage of any importance in a religious point of view ; at the same time I felt myself called on, both as a Scotsman and as a minister of the Scottish Church, not to sit silent under its invasion, as the issue of my own case would doubtless establish a precedent for both colonies : I accordingly inserted an advertisement in the Sydney Gazette, intimating that I would solemnize marriage *by banns* in any case in which either of the parties was a native of Scotland, or a Presbyterian, or a member of my own congregation, and calling upon all persons whom it concerned, to produce any law or statute prohibiting such marriages, or declaring them illegal. I accordingly solemnized various marriages by banns for a year or two after ; and the privilege of marrying by the Governor's license—a practice peculiar to the colonies, but now dis-



continued in New South Wales—was in due time voluntarily conceded. The circumstance, however, of my having recourse to an advertisement in the newspapers, to assert a right which had thus been unjustly invaded, was regarded in certain quarters as a manifestation of a bad spirit. Of course I was to regard the spirit of intolerant usurpation, which had forced me to adopt such an expedient, as the spirit of brotherly kindness and Christian charity: truly it was that charity, which *seeketh not her own* merely, but her neighbour's also.

In the years 1823 and 1824 I performed divine service repeatedly, and on one occasion dispensed the sacrament of the eucharist, at the Presbyterian settlement of Portland Head on the banks of the Hawkesbury. On leaving the colony for England, the people of that settlement authorised me to procure them a minister, pledging themselves to contribute to a certain amount for his maintenance, and soliciting at the same time, as they were neither numerous nor wealthy, assistance from the Christian public in the mother country. I obtained about £250 for the purpose in the west of Scotland; and the Rev. J. M'Garvie, A. M. a Licentiate of the Church of Scotland, having been ordained as the minister of Portland Head, there remained about £200 after defraying the expense of his passage out to the colony. This amount was appropriated in part payment of a small farm and cottage on the Hawkesbury, which were purchased as a glebe and residence for the minister. On Mr. M'Garvie's arrival in the district, the Presbyterians of Portland Head

addressed a memorial to the Governor, requesting a salary of not more than £100 per annum for his maintenance, from the Colonial Treasury, and pledging themselves to pay an equal amount by private subscription. In a letter which I wrote along with the memorial to His Excellency General Darling, I gave a short account of the origin and history of the settlement, stating that it had been formed by free emigrant Presbyterians from the south of Scotland in the year 1802; that these settlers had built a church—the first that had ever been built in the colony by private subscription—at an expense of upwards of £400, in the year 1809; and that the ordinances of religion had been regularly dispensed among them, by one of their number acting as a voluntary catechist, from the time of their arrival in the colony. I was greatly mortified, however, to receive a letter from the Colonial Secretary in reply, stating that His Excellency could not comply with the prayer of the memorial; expressing his satisfaction, however, that the Presbyterians of Portland Head were able to do so much for their minister, *and hoping they would soon be able to do whatever more was requisite for his maintenance.* In short, it was insult added to injury.

I had reason to believe at the time that if Mr. M'Garvie were made acquainted with the tenor of the Governor's reply, he would leave the colony and return to Scotland; in which case all attempts to procure other Presbyterian ministers for other Presbyterian congregations in the territory would probably have been vain: in fact, I have reason to believe that this

consummation was both desired and anticipated. Without apprising Mr. M'G., therefore, of the tenor of the Governor's answer, I wrote His Excellency, requesting that he would transmit the memorial, along with my letter, to the Right Honourable the Secretary of State for the Colonies: the memorial was accordingly forwarded to England as a matter of course; and Lord Viscount Goderich, who was then Secretary of State for the Colonies, was pleased to order that a salary of £100 per annum should be paid to the minister of Portland Head from the colonial revenue.

Mr. M'Garvie being a man of a benevolent disposition, as well as of superior literary acquirements, and the district of the Hawkesbury, which is one of the oldest settlements in the territory, abounding in reputable natives of the colony, many of whom possessed small herds of cattle, and were naturally desirous of obtaining small grants of land from the Government; he was frequently applied to by such young men to write memorials to the Governor on their behalf, stating their circumstances, and soliciting grants of land to enable them to settle on their own account in the interior. Indeed, although there were two Episcopal chaplains stationed in the immediate neighbourhood, by far the greater part of this species of work for the whole district of the Hawkesbury devolved upon Mr. M'Garvie. This was observed by the Government; and it could not fail to be observed also, that the *right action* was done by the *wrong man*. Mr. M'Garvie accordingly received a letter from the Colonial Secretary, desiring to be informed, by direction of the Governor, whether he re-

ceived any thing for the numerous memorials he wrote. Mr. M'Garvie was naturally somewhat indignant at the injurious insinuation ; but he merely replied, that " he had never received as much as the value of the paper on which the memorials were written." His Excellency, it seems, was mistaken, in supposing that my friend and brother was like the mercenary hirelings that abound in all professions in the colonies, who will neither open their mouths nor touch their pens till their pockets are crammed.

After my return to the colony in the year 1826, I ascertained, on repeatedly visiting the settlements of Hunter's River and Bathurst in the discharge of clerical duty, that the Presbyterian settlers in these districts were desirous of obtaining ministers of their own communion, and were willing to contribute for their maintenance to the amount of £100 per annum. I accordingly addressed a memorial on the subject to General Darling, soliciting that His Excellency would recommend to the Secretary of State to allow salaries of £100 per annum for ministers of the church of Scotland for the districts of Bathurst and Hunter's River respectively, provided the Presbyterian inhabitants of these districts should themselves contribute a similar amount ; and representing, that as upwards of one half of the land in both districts had been granted to Scotsmen and Presbyterians, there was reason to believe that the settlement of Presbyterian ministers, to itinerate from farm to farm in these parts of the territory, would bring religious instruction into much more general contact with their convict-population, as each



of the Presbyterian families, who were desirous of having ministers of their own communion settled among them, had numerous convict-servants. His Excellency replied, that he would order the resident officers to furnish him with information on the subject; and orders were accordingly transmitted to the military commandants of Bathurst and Hunter's River, to ascertain the number of Presbyterians in these districts, (without reference to the circumstance of their being masters or servants,) in comparison with that of the whole population. This delicate task was entrusted by the military commandants to convict-constables, who were accordingly sent round to make the requisite inquiries at each farm in the district; but as every person who answered the constable that he was a Protestant was set down as an Episcopalian, (the words Protestant and Episcopalian being held synonymous by the lower English;) and as there were Presbyterians who actually disavowed their connexion with the Scottish Church, from the fear of giving offence, or from an indistinct persuasion that favours were more easily obtainable from the colonial government by proselytes to Episcopacy than by Presbyterians; and as the circumstance to which I had especially requested His Excellency's attention, viz. that more than one half of the land was in the hands of Scotsmen and Presbyterians,—who of course were the influential and the permanent portion of the population,—was kept entirely out of view; it was found as a matter of course that the number of Presbyterians at Bathurst and Hunter's River was insufficient to warrant His Excellency's compli-

ance with the prayer of my memorial.\* But the Archdeacon, who, I understood indirectly from the Governor himself, had been consulted in the matter, was too

\* It was stated some time ago in a semi-official paper published in London, for the purpose of accounting for the large expenditure of public money by the Episcopal Church in New South Wales during the incumbency of Archdeacon Scott, that there were thirty thousand Episcopalians in that colony, out of a population which the writer supposed under forty thousand: the reader must be informed, however, that this respectable but imaginary muster-roll included all persons who went to no church, and were avowedly of no religion whatever. "Of what religion are you?" said the zealous Episcopalian officer, who was sent to muster a convict-ship on her arrival in New South Wales during the government of General Darling. "I am of no religion," replied the convict he addressed—an impudent fellow, doubtless, who was doubtless telling the truth. "Of what church are you?" rejoined the officer, supposing perhaps that his question had been misunderstood, or perhaps giving the convict to understand that it was not absolutely necessary that he should be of any religion in order to his belonging to a particular church. "I am of no church," responded the convict. "He goes to church," said the officer, addressing himself to the clerk; and the convict was accordingly written down an Episcopalian: in short, it was evident he was neither a Presbyterian nor a Roman Catholic, and the inference deduced was therefore fair enough. If the Colonial Episcopal Church had really felt a more special interest in such reprobates than other communions in the colony, it would, doubtless, have been greatly to her credit to have taken them so benevolently under her wing. But, unfortunately, this is not the secret of the large addition they made to her muster-roll; for in the sequel of the paper I allude to, it was shown that £20,000 a year—the sum which the Episcopal Church and schools cost the colony during the incumbency of Archdeacon Scott—amounted only to 15s. a head for the thirty thousand Episcopalians of the colony. On such a principle of calculation, it was no wonder that the Presbyterians of the colony should have been represented, as they actually were, as an insignificant handful; for every person of that communion who could by any means be ticketed as an Episcopalian, not only served to strengthen the Archdeacon's argument against the necessity for Presbyterian ministers, but entitled him to ask other 15s. for the Episcopal Church.

tender-hearted a nursing-father of the Church to allow the Scots Presbyterian settlers of so extensive a district as Hunter's River to remain destitute of the ordinances of religion; and he accordingly sent them a half-pay lieutenant in the navy—a very good sort of man, doubtless, on the quarter-deck of a gun-brig or sloop-of-war—to read prayers as an Episcopalian catechist in the district, and to receive for so doing more than double the emolument that was asked for a regularly-ordained minister of the Church of Scotland. In the year 1830, I felt myself called on, with a view to advance the interests of religion and education throughout the colonial territory, to proceed a second time to England; and on laying the case of Bathurst and Hunter's River before the Right Honourable Lord Viscount Goderich, with a simple recommendation from certain magistrates of the territory, his Lordship was pleased to order a salary of £100 per annum to a minister of the Church of Scotland for each of these districts. Two ministers were accordingly appointed, and arrived in the colony on board the vessel I had engaged to carry out the Scotch mechanics in the year 1831.

A state of things exactly similar to the one I have thus described has also prevailed till very recently in the colony of Van Dieman's Land: indeed, the thoroughly exclusive, intolerant, and tyrannical spirit of Episcopal domination has exhibited itself in a greater or less degree, according to the circumstances of each particular case, in all the British colonies. Witness the case of the Scots Presbyterians of New York,

when that province was a British colony, a century ago :—

“ The Presbyterians increasing after Lord Cornbury’s return to England,” (I quote from Smith’s History of New York, page 191,) “ called Mr. Anderson, a Scotch minister, to the pastoral charge of their congregation ; and Dr. John Nicol, Patrick M’Knight, Gilbert Livingston, and Thomas Smith, purchased a piece of ground, and founded a church in 1719. Two years afterwards, they petitioned Colonel Schuyler, who had then the chief command, for a charter of incorporation, to secure their estate for religious worship, upon the plan of the Church in North Britain ; but were disappointed in their expectations *through the opposition of the Episcopal party*. They shortly after renewed their request to Governor Burnet, who referred the petition to his Council. *The Episcopalians again violently opposed the grant*, and the Governor in 1724 wrote upon the subject to the Lords of Trade for their direction. Counsellor West, who was then consulted, gave his opinion in these words :—‘ Upon consideration of the several acts of Uniformity that have passed in Great Britain, I am of opinion that they do not extend to New York, and consequently an act of toleration is of no use in that province ; and therefore, as there is no provincial act for uniformity, according to the Church of England, I am of opinion, that by law such patent of incorporation may be granted as by the petition is desired.—RICHARD WEST, 20th August, 1724.’ After several years’ solicitation for a charter in vain, and fearful that those who obstructed such a reasonable request would watch an opportunity to give them a more effectual wound ; those among the Presbyterians who were invested with the fee-simple of the church and ground, conveyed it, on the 16th March, 1730, to the General Assembly of the Church of Scotland,” as the only means of preserving the property in the hands and for the use of the members of that communion in the city of New York.

It was, doubtless, the repetition of such acts of intolerance and oppression as the one that gave rise to so singular a proceeding—it was doubtless the repetition of such acts of intolerance and oppression on the part of a domineering faction in the colonies, supported and abetted by the Government at home—that served gra-



dually to wean the affections of the American people from their allegiance to their rightful sovereign, and that subsequently gave the American revolution that moral and resistless force, that enabled it to wrest the fairest provinces from the British empire, and to pluck the brightest jewel from the British Crown. The Presbyterians of America are now happily delivered from Episcopal domination; and their two thousand flourishing congregations, whose ministers are all supported by the voluntary contributions of a Christian people, present an argument that cannot easily be got over by those who are perpetually telling us, that Christianity, in this the age of her decrepitude, forsooth, can no longer stand erect in the world, and must therefore be permitted to lean the whole weight of her rickety and consumptive frame on the crutch of the civil power!

The prevalence of Episcopal domination in the British colonies has had this unfortunate and evil effect; it has, in great measure, weaned the higher classes of Scotsmen in the colonies, and especially Scotsmen holding appointments under the Government, from the hallowed institutions of their mother Church and their father-land. If the question, which this state of things suggests, were merely a question as to whether men ought to use forms of prayer or to pray extempore, or whether there ought to be any other species of precedence among the ministers of religion, than what is uniformly and willingly conceded, even by Presbyterians, to eminent services and eminent talents, I should esteem it a matter of comparatively little

moment which side of the question individuals of my own countrymen were pleased to take ; for though a Presbyterian, I trust, in the highest sense of the word, I am not so in that sense of it which holds either moderate Episcopacy or Independency sinful or unlawful. But the question is one of a far different description. It is, whether it is the part of a Christian man at all to renounce the faith of his forefathers, (I use the phrase in its wider acceptance,) without being able to assign a better reason for such renunciation, than that the thing called religion, which is taken up instead of it, is the religion of the dominant and influential party, the religion of all whose incomes are upwards of five hundred a year? Is this, I ask, to be esteemed a valid or sufficient reason for renouncing a faith which a thousand martyrs died to defend and to perpetuate, and the devoted attachment of whose children to which has raised their nation to a higher pitch of intellectual and moral and religious eminence, than, perhaps, any other European nation has ever attained? Are the men, who thus sell their birthright for a mess of pottage, to be esteemed the worthy descendants of those patriotic men who purchased the civil and religious liberties of Scotland with the best blood in their veins? The Presbyterian who becomes an Episcopalian from conscientious motives, and who lives and dies a worthy and pious Episcopalian, I honour, because I see he possesses a conscience, though, it may be, an ill-informed one ; but can Charity herself suppose that such men as I allude to have a conscience at all? What indeed can be expected, either worthy or honour-

able, of the men, who, when their mother Church—with whose milk they were nursed as babes, and with whose strong meat they were fed till they reached the vigour of manhood—follows them in the warmth of her maternal affection to the distant land of their sojourning, cast upon her a cold and withering look, saying, “ Begone, you old, poverty-struck beldam ; don’t you see we have taken to live with this *strange woman* from Babylon ? ” What, I say, can be expected of such men, but that they will approve themselves unworthy sons of their mother—degenerate scions of a noble vine ? It has accordingly been observed again and again, that of all the possible personifications of absolute servility, the Episcopalianized Scots Presbyterian is, in general, the most complete in all his members. Indeed, I have reason to believe, that if His Majesty were to haul down the cross, and to hoist the crescent, provided the absolute disgrace of the thing could only be got over in the eyes of the public, the majority of Episcopalianized Scots Presbyterians, holding appointments under the Government in the colonies, would be the first to shout with the Grand Mufti of St. James’s, “ *There is no God but Allah, and Mahomet is his Prophet !* ”

It has often appeared to me, that the moral and religious standing of the Scottish nation in reference to the colonial territories of the British empire, very much resembles that of the Jewish people in reference to the heathen nations of the ancient world. Subjected in their native land to a species of intellectual, and moral, and religious training, which perhaps scarcely any other European nation has so long enjoyed, the

people of Scotland have long been extensively imbued with a spirit of emigration, which has scattered them in thousands over the whole face of the habitable globe, and filled the British colonies in particular with a Scottish population. This wide dispersion of the Scottish people, we may rest assured, is no accident in the grand scheme of Providence, any more than the wide dispersion of the ancient Jews, after having been subjected to a similar training in their own country, was either unforeseen or accidental. It was doubtless part and portion of a high and benevolent design for advancing the intellectual, the moral, and the religious welfare of the British colonies, of the British empire, of the world at large; and there was thus placed in the hands of the Scottish clergy a lever which the sage of Syracuse could only wish for—a lever of mightier power to elevate a large portion of the world, than any equal number of ministers were ever called to wield since the apostolic age. Will it be believed, however, that the Scottish clergy have hitherto remained insensible to the moral and religious advantages of this high position, which the Governor among the nations had assigned them on the grand arena of the world? Will it be believed, that although Scotsmen without number have annually gone forth to the British colonies for a century past, there has never been a single effort made on behalf of these colonies by the General Assembly of the Church of Scotland, during that long period, worth recording in a stray paragraph of a country newspaper?

Had the Scottish clergy plied that moral machinery, which the Presbyterian Church is so admirably adapted



for bringing into play, on the great field of the world—had they followed the numerous children of their people, who have gone forth to the colonies, with some regular and systematic provision for their spiritual welfare—how many a Scotsman, whose whole life has been spent in diffusing around him an atmosphere of death in the land of his sojourning, might not have proved a *spirit of health* to society, instead of being a very incarnation of some *goblin damned*! How many a Scottish family in the colonies might not have been preserved from irreligion, from infidelity, from immorality, from ruin!

But where were the means? it may be asked. I ask in reply, how have thousands and tens of thousands been raised in Scotland, for the last forty years, to fit out and to maintain beyond seas whomsoever the Dissenting Ministers of London chose to ordain as missionaries to the heathen? God forbid that I should ever whisper a syllable against missions to the heathen! But I have seen too many missionaries, not to have seen more than I choose to mention, whom men possessed of the least discernment would never have presumed to send forth on such an errand! The colonies, however, were the first field to be occupied; and if that field had been properly occupied, it would have afforded much assistance to missions to the heathen, instead of proving a fruitful source of disappointment and counteraction to Christian missionaries.

Had there been a standing committee of the Church of Scotland (as there ought uniformly to have been) to watch over the spiritual welfare of Scotsmen in the colonies, and had that committee sent out two ministers

of the requisite qualifications to each of the Australian colonies about fifteen years ago\*—ensuring them, from funds collected in the way I have suggested, a moderate provision till they could establish themselves in the colonies, endeavouring in the mean time to interest the Government on their behalf, and following up every important suggestion they might see fit to make for the advancement of the spiritual welfare of their countrymen in these colonies—colonial Episcopacy would all along have been kept in proper and salutary check; an efficient system of religious instruction would have been provided for all the Scotch inhabitants of both colonies with the utmost facility, and an incalculable amount of good would have been effected for that highly influential portion of the colonial population, at a comparatively insignificant expense.

From the entire want of any such machinery in the Church of Scotland, and from the burden of providing for the spiritual welfare of Scotsmen in the Australian colonies being consequently made to rest on the chance efforts of individuals—of individuals struggling on the one hand with an overwhelming Episcopacy, and unsupported on the other by those whose bounden duty it was to have upheld them—I have been reduced to the necessity of making no fewer than four voyages round the world during the last fourteen years—living in all

\* The divine author of Christianity always sent out his disciples by twos, and the apostles seem to have generally followed his example. We always hear of two of the apostolic Presbytery travelling together; as for instance, Peter and John, Paul and Barnabas, Paul and Silas, Barnabas and Mark. The propriety and the wisdom of such an arrangement are sufficiently obvious.

for three years and a half of that period out of sight of land, at one time in intense cold among the icebergs to the southward and westward of Cape Horn, at another in intense heat beneath a vertical sun ; traversing on an average about a thousand miles of ocean every month for ten successive years, and paying about £600 of passage-money for sea-voyages from my own private resources, besides heavy and almost ruinous expenses on land.

But the long-continued indifference of the General Assembly of the Church of Scotland to the spiritual welfare of Scotsmen in the colonies has been productive of a still worse effect than the one I have just mentioned. It has induced such a state of feeling, in regard to the colonies, on the part of the Scottish clergy in general, that it is almost held tantamount to a complete renunciation of caste for a licentiate of the Scottish Church to go to the colonies at all ; insomuch that his doing the very thing which his Lord and Master especially commands—his going forth on the forlorn hope of the Christian army, with the everlasting Gospel on his lips, and the sword of the Spirit in his hands—is tacitly interpreted as a public confession of his being *a weak brother who has no prospects at home*. For my own part, I confess I had much more difficulty in getting over this feeling—so humiliating to the native intellectual pride of the Scottish character—than I had in resolving to bid adieu, in all likelihood for ever, to my native land.

It is necessary, however, to apprise the reader, that this lamentable indifference of the Scottish Church

towards Scotsmen in the colonies, is altogether foreign to the native genius and character of the Presbyterian Church. In the reign of William and Mary, when a number of Scottish emigrants left their native country to settle at the Isthmus of Darien, the General Assembly of the Church of Scotland—which at that period consisted entirely of ministers who had been chosen by the people—took so warm an interest in the spiritual welfare of these emigrants, that they actually removed two ordained ministers from their parishes in Scotland, and sent them along with them. But the General Assembly of a century past, consisting in great measure of ministers who have been thrust upon the people by the system of patronage—have seen hundreds of thousands of Scotsmen leave their native country for the colonies, without ever inquiring whither they went, or what was likely to become of them in the distant lands of their adoption.

This remarkable change in the character and conduct of the Scottish Church has arisen entirely out of the law of patronage—that flagitious enactment of the Tory Government of Queen Anne, by which the Scottish people were robbed of their right to elect their own pastors, and the appointment of the Scottish clergy transferred in great measure to the Scottish aristocracy. Under the operation of so iniquitous a system, the Presbyterians of the Covenant—those patriots indeed who held not their lives dear that they might promote the best interests of their country—gradually disappeared; and a race of gentlemen's gentlemen—the mere sycophants and dependents of the great—occu-



pied a great majority of the parishes of Scotland, and *reigned in their stead*. And was it wonderful, that velvet-tongued theologians like these should forget the art of speaking for their countrymen in the colonies? Was it wonderful, that the herd of *lean cattle*, that were thus driven in by the Scottish nobility to fatten on the green pastures of their national Church, should have no sympathy for those who were dwelling in the dry and parched lands where there was no water? Educated in the Tory College of Subserviency, many of their number had taken the degree of Destitute of Natural Affection; and their reckless indifference to the best interests of their countrymen abroad was in perfect keeping with the recklessness with which they sometimes trampled on the best feelings of their countrymen at home.\*

The period of reaction, however, has at length arrived; and that reaction we may rest assured will be powerful and resistless, just in proportion to the length, and breadth, and depth of the injury that has hitherto been so patiently sustained by a long-abused nation both at home and abroad: for it is not the mere repeal of the law of patronage in Scotland, or the reform of a few flagrant abuses in the Church of England, that will now stem the flood-tide of popular opinion that is evi-

\* It is gratifying to observe, that the Church of Scotland has been reforming itself during the last three or four years. The first step in this salutary process was taken by giving the Christian people a *veto* on the appointment of all ministers of that Church. The effect of this reform has been already apparent in various respects, especially in the reviving of the ancient discipline on the one hand, and of the ancient sympathy for Scotsmen in the colonies on the other.

dently setting so strongly and so resistlessly against the religious establishments of both divisions of the island. In that prominent sign of the times men of understanding cannot fail to discern a judicial infliction—the prelude of some *overflowing scourge*, that will ere long pass through the land, and leave not one stone of these goodly fabrics upon another. There are men, it is true, who think they can still arrest the progress of public opinion on this and on other kindred subjects: as well might the Swiss peasant think of chaining the enormous avalanche, that has just broken adrift from its moorings on the summit of some lofty Alp, and is rolling down from precipice to precipice, and from rock to rock, to spread dreariness and desolation over his happy valley. The revolutionary clock has struck one, to indicate that the day of *overturning* has already commenced; and well may the mitred Episcopalian priest and the Presbyterian Levite feel alarmed together at its fearfully ominous and volcanic sound!

As there was nothing to counteract the efforts of Episcopacy to establish for itself an exclusive predominance in the Australian colonies, ways and means were at length devised by certain zealots for that system, to exhibit it to the colonists in an attitude of power and glory not unworthy of the era of Pope Hildebrand. For this purpose, a Church and School Corporation was established by royal charter in the year 1825, by which the whole care of religion and education in the colony of New South Wales was assigned to the Episcopalian clergy, to whom a seventh of the whole continent, or a piece of land as large as the island of Great Britain,

was liberally allotted as a suitable reward for their trouble; and as it was wisely considered that the land was of little value so long as it remained in a waste state, the privileged clergy were very properly allowed in the mean time to extract whatever they might think necessary from the public purse, till the increase of population should render their estate valuable in proportion to their deserts. The charter provided for the future erection of a bishopric in the colony, and declared expressly that the bishop was to be paid first; no archdeacon to receive any thing till his lordship was satisfied. The archdeacons were to follow next, and whatever they left was to be divided among the rectors; the working clergy or curates to receive nothing till the latter had got enough.

The Episcopal Church Establishment of the colony consists at present of a bishop, eighteen chaplains, and three catechists; the Episcopal School Establishment embracing a male and a female orphan school—each under the superintendence of a half-pay lieutenant in the navy—and about thirty primary schools of a character exceedingly inferior to that of the parish schools of Scotland. Will it be believed, however, that so long ago as the year 1828, when there were neither so many chaplains nor so many schools as there are at present by a very considerable number, the cost of these petty establishments should have amounted in a single year to upwards of £22,000? The salaries of the chaplains varied, at the period I allude to, from £250 to £400 per annum; but the amount of these salaries was no cue to the real emoluments of the incumbent, or to the total charge for

his maintenance on the revenue of the colony. Every expedient was adopted to raise the wind, or, in other words, to increase the income; and, as the Corporation consisted chiefly of clergymen, one voted for another, and the demands on the treasury were consequently exorbitant enough. For instance, the two Episcopal chaplains of Sydney, both of whom had only received that species of ordination which is given *for foreign parts*, had each a fixed salary, of the amount specified, (viz. about £300 or £350 per ann.) together with a free house, which in Sydney is worth about £100 a year; but as the one performed divine service at the jail, and the other in the hulk, and as there are no *free-will offerings at the door of the Colonial Episcopal Tabernacle*, it was doubtless quite reasonable to allow £50 additional to each of them for these *extra* duties.\* They had each grants of land, or farms of their own, which were not suffered to lie waste, in the interior. It was not likely, therefore, that the few acres of sterile land, which they held as glebes near the town of Sydney, could be of much use to them as cattle-runs: they were therefore the more easily induced to surrender their glebes to the Corporation, and they accordingly received a compensation of £100 a year each in lieu of them. In the mean time, every marriage, every burial had to be paid for, with a *regular and accustomed fee*. But Episcopal covetousness (I must use the right word,

\* There used also to be something got for performing divine service to the military in Sydney; but as that item is charged to the account of the mother country, it is not included in the annual returns of the appropriation of the colonial revenue.



however offensive) was not yet satisfied; and the one chaplain accordingly presented to the Corporation, during one of the years of drought, an account of nearly £700 for additional perquisites, to which it appears he was fairly entitled, but which it seems the good man had never got; and the other a similar account of about £500; and the Corporation, of course, voting both accounts correct, they were duly paid. Yes, these accounts were both presented and paid, at a time when many respectable families in the colony were reduced to absolute poverty through the visitation of God and their own unfortunate speculations in sheep and cattle, and when whole districts of inhabited country within the territory were left without the shadow of provision for the dispensation of the ordinances of religion!

But, even at the very time when this lavish and unseemly expenditure of the public money was going on, so jealous was colonial Episcopacy of her power, or rather so unwilling that men who were not entirely of her own making should come within her borders *to spy out the nakedness of the land*, that before I could obtain a single hundred a year for a regularly educated and ordained Scotch clergyman, to dispense the ordinances of religion among his own countrymen in an extensive district of country in the territory, I had to leave my own congregation for a twelvemonth, to double Cape Horn, to circumnavigate the globe! I ask, therefore, is there any man of common candour who will not acknowledge, that, *in such circumstances*, a colonial church establishment is a positive, an enormous, an intolerable evil?

The mere management of the Church and School Corporation, independently altogether of the salaries of clergymen and schoolmasters, cost, for some time after the institution of that body, upwards of £2000 a year. I confess, I am utterly unable to account for the disappearance of so much public money, by any process of compound addition exemplified in the common systems of Scotch ecclesiastical arithmetic; but I admit that there is an essential vulgarity in Presbyterianism on the important subject of expense, which perhaps unfits a man for seeing how easily the public money can be spent unprofitably by those who have the exclusive right and privilege of doing so. Compared with this expenditure, the corresponding expenditure of the whole Church of Scotland appears paltry and insignificant. The clerkship of the General Assembly of the Scottish Church, for example—a body having the superintendence of more than a thousand ministers, with all their churches and chapels, four universities, and upwards of a thousand parochial schoolmasters and schools—costs only £200 per annum: but the clerkship of the Church and School Corporation of New South Wales—a body having the superintendence of only twelve or fifteen ministers, and about double the number of schoolmasters—required an establishment of no fewer than four lay-clerks; of whom the first—who of course was the son of a member of the Corporation, who had, previously to the institution of that body, had merely half-a-crown a day as a supernumerary clerk in the Commissariat Office—had a salary allowed him of £400

a year, which, if I have not been greatly misinformed, was to have been raised gradually to £700.\*

The necessary and direct tendency of the system and practice, of which I have thus given the reader a slight sketch, was to lower the standard of religion throughout the colony, by identifying the ministers of religion, in the estimation of the colonial public, with a regularly-organized system of grasping covetousness.

In fact, the prevalence of the system and practice I have been describing, gave extensive currency and credit in the Australian colonies to the scandalous and delusive idea, that religion is mere priestcraft, and that the ministers of religion are mere mercenary hirelings,

\* All that the Presbyterians of New South Wales had got for their ministers from the Government, at the time when they had the honour of receiving an intimation from the Right Honourable Sir George Murray that they had got enough, was £400 per annum. The colonial Episcopacy was receiving at that very time £18,000 per annum. The amount allotted to the Presbyterian clergy, in the year 1834, was £600 per annum: the grant to the Episcopal clergy, for that year, was £18,129. 10s. viz. £11,542. 10s. for the clergy exclusively, and £6587 for Episcopal schools. The very musicians, door-keepers, and other menials of the Episcopal churches of the colony had actually £190 more of the public money divided among them every year, than the whole sum allotted to all the Presbyterian clergy of the territory. The whole cost of the Episcopal establishment of the colony during the first five years of General Darling's government, amounted, independently of the revenue accruing to the Corporation from the sale and rent of church lands, as well as of certain items paid from the Parliamentary grant for the support of the colonial Episcopacy during the year 1826, to the sum of £91,569. 17s. 4d. The Presbyterian clergy of the colony cost the Government during the same period £1966. 6s. 8d., or, including the items above mentioned, *less than one-fiftieth part of the cost of the Colonial Episcopal Church and School Establishment.*

whose whole and sole object is gain. I have heard this idea broached too frequently myself, and in too great a variety of forms, by men of some consequence in the colony, not to know that it is perfectly consistent with a decent conformity to the established observances of a Government church. In short, a great proportion of the upper and influential classes of society in both colonies have undoubtedly reached that point in theology, which admits that religion is a very good thing after all for the lower classes of society: to assert any thing farther, however, would be somewhat hazardous.

Monopolies in religion, as well as in any thing else, are uniformly productive of intolerance and oppression on the one hand, and of heartburnings and jealousies on the other. But the greatest evil that has hitherto resulted from the prevalence of Episcopal domination in New South Wales, is, that, in accordance with that principle of action and reaction which is so frequently exemplified in the present age, it has roused a spirit in the colony which it will never be able to lay, and has been the means of saddling the country, for all time coming, with a powerful Roman Catholic establishment: for, regarding the formation and consolidation of such an establishment in the Australian territory as a great evil most deeply to be deplored, I have nevertheless no hesitation in expressing it as my fixed opinion, that the existence of that establishment, in its present prominence and strength, has been owing in great measure to the jealousy and the envy which were naturally, and I will add justly, excited among the Roman Catholics of the colony, at the overgrown dimensions and the lordly



demeanour of colonial Episcopacy, during the government of General Darling.

It was when things were in such a state as I have described, at the close of General Darling's administration, that Major-General Sir Richard Bourke arrived in the colony in December, 1831, as the King's representative. Casting his eye, as a philosopher and a statesman, over the colony, it was not difficult for His Excellency to discover the extremely mischievous and ruinous tendency of the existing system, and the necessity for a change. He did not venture, however, to express his opinion, in reference to such a change as it was necessary for the Government to effect, till he had maturely considered the subject in all its bearings on the best interests of the colony; for it was not until he had been nearly two years in the colony, that he addressed his famous dispatch on Churches and Schools to the Right Honourable the Secretary of State for the Colonies. That dispatch, which the reader will find in the Appendix, No. 2, I have already characterized as one of the ablest, as it is doubtless, in reference to the best interests of the community to which it relates, one of the most important state papers I have ever seen; and it was peculiarly fortunate for the colony of New South Wales, that, in the rapid changes that have taken place in the Colonial Office during the last few years, it fell into the hands of so liberal, so enlightened, so Christian a statesman as the Right Honourable Lord Glenelg. His Lordship's reply will be found along with the Governor's dispatch in the Appendix, and I confess I know not which to admire the

most. In consequence of the series of changes to which I have alluded, that reply was not written till the close of the year 1835, and did not arrive in New South Wales till the month of April or May, 1836. It was published in the colony in the month of June of that year; and the following are the terms in which its publication was announced in a colonial weekly journal, which I had been the means of establishing, and to which I was in the habit of making occasional contributions:

“We were just going to press with our last number, when we received a copy of His Excellency the Governor’s Dispatch to the Secretary of State for the Colonies, on the Churches and Schools of New South Wales, accompanied with a copy of the Right Honourable Lord Glenelg’s reply; and we had only time to glance over the important documents, and to notify our intention to insert them at length in our next number before going to press. We now hasten to redeem our pledge, after making a few preliminary observations.

“It is, therefore, with sincere pleasure that we inform our numerous and respectable readers, both in New South Wales and beyond seas, that we have never perused any state papers connected with the administration of public affairs in this colony, the perusal of which has afforded us more unmingled satisfaction than that of the documents we refer to. His Excellency the Governor has already received the highest commendation from the Right Honourable the Secretary of State for the Colonies, for the luminous exhibition he has given, in his dispatch, of the Ecclesiastical and Educational Statistics of New South Wales, as well as

for the liberal and enlightened policy he has recommended to the Home Government for the future administration of these branches of our colonial polity; and he will, consequently, stand in no need of our humbler meed of approbation. But we should be utterly deficient in those feelings of respect which we owe to ourselves as British subjects, as well as in those sentiments of lively gratitude which we owe to our political benefactors, if we suffered a document of such vast importance to the future welfare of all classes in this remote dependency of the empire, as His Excellency's dispatch, to be passed over in silent indifference, or with faint and feeble praise. In fact, we are honestly and candidly of opinion, that the measure which His Excellency the Governor has recommended in his dispatch, and which the Right Honourable the Secretary for the Colonies has approved in his reply, will constitute and be regarded in all future times as the *Magna Charta* of the religious liberty of this infant empire.

“The documents we refer to enable us virtually to realize a consummation for which we have looked and longed for the last ten years and upwards, with all the anxiety with which the shipwrecked mariner, in a dark night and a stormy sea, looks and longs for the day. Sir Richard Bourke had already attained the high honour and satisfaction of having given emancipation to the native tribes of Southern Africa, and of having elevated the oppressed and enslaved Hottentot to the dignity of a freeman.\* He has now earned a fresh laurel on a

\* “Most of our readers are doubtless aware, that His Excellency Sir Richard Bourke was for some time Acting Governor at the Cape of

different field, and acquired a lasting and imperishable fame, by giving religious liberty to the freemen of Australia, and by thereby affording a stimulus to the exertions of all honest and Christian men, for the future advancement and Christianization of this infant empire—such as had never previously been afforded: in—somuch that whenever the policy he has recommended, and the Home Government approved, takes the form of an Act of our Colonial Legislature, as we are confident it will very shortly, he may say with the poet:—

Exegi monumentum ære perennius,  
Regalique situ pyramidum altius,  
Quod non *imber edax*, non *Aquilo impotens*  
Possit diruere, aut innumerabilis  
Annorum series, et fuga temporum.

‘I have reared a monument more enduring than a statue of bronze, loftier and more honourable far than

Good Hope, and that, during his administration of the government of that colony, he promulgated an ordinance, commonly designated the 50th ordinance, which was much opposed by the Dutch colonists at the time, but was highly approved and ratified forthwith by the Duke of Wellington’s government, and the object of which was the total enfranchisement of the native population. During the sessions of the Select Committee of the House of Commons, appointed to ascertain the condition of the aboriginal inhabitants of the British Colonies, Thomas Fowell Buxton, Esq., M.P., in the chair, Major William Bolden Dundas, of the Royal Artillery, was examined relative to this ordinance on the 6th of August last. The following is the question proposed to him, with the reply it elicited:—

“Is it correct to suppose that Lord Caledon was the first Governor who passed an ordinance in favour of the Hottentots, and that that ordinance was afterwards confirmed by General Bourke, for removing their disabilities?”—“Lord Caledon’s proclamation or act certainly altered very materially the condition of the Hottentots, but General Bourke’s ordinance emancipated (I think you may so say) the Hottentots altogether.”



the royal pyramids of Egypt;—a monument, which *the impotence of the Tories* cannot subvert, nor *the rushing torrent of the Radicals* sweep away;—a monument, which is destined to outlive the lapse of countless years, the flight of innumerable ages.\*

“The Presbyterians of New South Wales, in particular, may well respect and venerate Sir Richard

\* “Speaking of monuments, we have been informed that that respectable colonist, Mr. Busby, has been going about for some time past collecting signatures for an address to General Darling, and subscriptions for a monument to his honour. Now, as we know of no act or series of acts of General Darling’s government, deserving a monument *from the public*, we can only resolve the affair into a becoming and praiseworthy expression of *private gratitude for favours received*,—at whose expense we shall not insinuate. It sits peculiarly well on Mr. Busby to take a prominent part in an affair of this kind; for, during the late administration, Mr. B.’s family, besides enjoying the various indulgences granted to other free emigrants, in the shape of grants of land, town allotments, convict-labourers and mechanics, engrossed at one time not less than about £1500 a-year of the public revenue. So gross a perversion of *public patronage*, on the part of his late Excellency, well deserved some expression of *private gratitude* on the part of the recipient; and Mr. Busby, to his credit, is evidently a grateful man. If Mr. B. should not have thought of an inscription for the Darling Monument, we can help him to the following, which we think by no means inappropriate:—

IN HONOUR OF  
LIEUT.-GENERAL SIR RALPH DARLING, K. C. B.,  
FOR SIX YEARS GOVERNOR OF THIS COLONY.

ERECTED  
BY THOSE CIVIL AND MILITARY OFFICERS,  
AND  
BY THOSE OTHER INHABITANTS OF THE COLONY,  
WHOSE PRIVATE INTERESTS  
HE WAS EVER READY TO PROMOTE  
AT THE EXPENSE  
OF  
THE PUBLIC.”

Bourke. When they modestly asserted their right to the countenance and support of Government, in the year 1823, they were treated with insult by a Scotchman, Sir Thomas Brisbane! \* When they modestly asserted that right a second time, during the late administration, they were treated with cold, and studied, and contumelious neglect, by an Englishman, Sir Ralph Darling! But they have had ample justice done them at length, and spontaneously too, which renders it the more estimable, by an Irishman, Sir Richard Bourke! Yes: and we are happy to inform His Excellency, that as Scots Presbyterians, in whatever country they are settled, are uniformly a grateful as well as an intelligent and an active people, they are not likely to undervalue or to forget the boon! As public journalists, we have not been blind to the errors of Sir Richard's government; neither have we ever attempted to conceal them: but a measure like the one which His Excellency has recommended, and the Home Government approved—so liberal, so comprehensive, so strongly indicative of an enlightened understanding and a benevolent heart—were sufficient, in our opinion, to cover even a multitude of political sins. In fact, the measure we allude to is the first honest, straightforward, rational, and judicious attempt, which has every yet been made by the British Government, for the intellectual, the moral, and the spiritual renovation of the Australian Colonies; and anticipating, as we do, the most important and beneficial effects from

\* "It was doubtless at the instance of the high Tory Colonial Secretary, Major Goulburn; but Sir Thomas was greatly to blame."

its future working, we hail with unmingled satisfaction the dawn of a brighter day for Australia!

“ Although the principles developed in His Excellency’s dispatch are not arranged categorically, we shall state them in order, for the benefit of our readers. They are as follows:—

“ 1. That in the present state of this colony, it is expedient and necessary, for the furtherance and promotion of religion and good government, that the Government should extend its countenance and support to the dispensation of the ordinances of religion.

“ 2. That it is equally expedient and necessary that this countenance and support should be extended in such a way, as not to render the ministers of religion independent of the Christian liberality and respect of their people.

“ 3. That the exclusive establishment and endowment of any one Church, or body of professing Christians, in this colony, is equally inexpedient and impracticable.

“ 4. That as there are at present three religious bodies or Churches already recognized and supported by the state in this colony, viz. the Episcopalians, the Roman Catholics, and the Presbyterians, who constitute the three most numerous and leading denominations in the colony, it is expedient and necessary for the future, with a view to the promotion of religion and good government, and the establishment of peace and concord, to extend the countenance and support of government to these Churches or religious bodies indiscriminately; leaving it in the power of the Local

Government to extend that countenance and support to other Churches or religious denominations, as they shall see proper.

“ 5. That it is expedient that the countenance and support of Government should henceforth be extended to these Churches or religious bodies in the following manner; viz.—that in whatever place or district in the colony not less than £300 shall be contributed by the people for the erection of a Church and manse for any one of these denominations, an equal amount shall be paid from the Colonial Treasury; and that if one hundred adult persons shall subscribe a declaration of their desire and intention to attend divine worship in the said Church, a salary of £100 shall be paid by the Government to the minister; that if two hundred adult persons shall subscribe such a declaration, a salary of £150 shall be paid by the Government; and that if five hundred adults shall subscribe such a declaration, a salary of £200 (which shall henceforth be the maximum in all cases) shall be contributed from the Treasury.

“ In regard to these principles, we have only to observe, that the system recommended by His Excellency the Governor, and approved by the Home Government, proposes to combine the permanence and security of a religious establishment with the life and vigour of the voluntary system; and we have no hesitation in expressing our opinion, that, although the latter system will eventually be found the ‘more excellent way,’ in a country in which the population is broken up into various denominations, as is the case in this colony; the system proposed by His Excellency is unquestionably



the most favourable for the planting of Churches *in the present state of the colony*, and for the rapid diffusion of Christian knowledge among its widely scattered population. Indeed, the system proposed by His Excellency appears to have been devised with consummate wisdom, as a means of extending the blessings of religious instruction in a pastoral country; for whenever a hundred adults shall attach themselves to the ministrations of any pastor duly recognized and sent forth by one or other of the Colonial Churches, and shall contribute a comparatively small amount for the erection of a Church and manse, the Government guarantee a salary of £100 per annum for such pastor, and advance at least £300 from the public Treasury, to assist in erecting his Church and manse: and to stimulate the exertions of the pastor, his Government salary is to be augmented to £150, or even to £200 per annum, as soon as he rallies around him a congregation of two hundred or five hundred adults. We presume His Excellency intends that the adults in these cases shall be free persons and of good repute, and that they shall either be householders, or persons having a permanent residence, in their respective districts. It would be easy to get names enough, and consequently to impose upon the Government, if these points were not attended to.

“The prospect which the proposed system holds out to the well-disposed portion of our colonial youth is in the highest degree favourable. The Christian religion can never make much progress in any country, until that country has learned to produce native ministers; and it

ought, therefore, to be the first duty of the ministers of any Church in a newly settled country to make provision for training up to the sacred office the sons of the soil. The colonial youth of piety and zeal, who devotes himself to the ministry in the Australian colonies, may not indeed realize his thousands per annum, like the man of sheep and wool; but he can never fail, under the proposed system, of obtaining a Church, a congregation, and a moderate income. This highly favourable prospect, conjoined with the acknowledged difficulty of procuring an adequate supply of ministers of religion from the mother country, will, we conceive, demonstrate the necessity of establishing and endowing institutions for the education of youth of a much higher caste than mere primary or elementary schools. We are sorry, indeed, to observe, that His Excellency the Governor, and the Right Honourable Lord Glenelg, have given some degree of countenance to the Gothic, or rather Hunnish heresy, which, we find, obtains in certain quarters in this colony, viz., that in such a colony as this the Government ought not to extend support to any other than elementary schools. Now we admit, that if our Colonial Treasury were low and impoverished, it would be fair enough to question the propriety of endowing High Schools and Colleges, for the education of youth in the higher branches of useful knowledge: but when that Treasury can bear salaries of two thousand a year, for services that might well be rendered for one-half the amount, it is an insult to the common sense of the colony to talk of the wretched economy of saving a few hundreds a year by the non-

endowment of High Schools and Colleges. Institutions of this kind *must* be founded, and that forthwith, for the education of ministers of religion, if for no other purpose; otherwise we shall ere long have its territory over-run with an uneducated and unqualified ministry,—one of the greatest calamities that could possibly befall our adopted country. Besides, in a country, in which the lowest possible amount of intellectual acquirement is sufficient to enable a man to realize a moderate independence, the temptation to acquire knowledge for its own sake is at best feeble and inactive; and the probability is, that in such circumstances—and these are exactly the circumstances of this colony—the march of society will be retrogressive, and that men will eventually be sent to represent the people in their future Colonial Legislature, who, in point of intellect, might themselves be represented by as many bales of Australian wool. To counteract this downward tendency of colonial mankind; to form a class of men, who shall lead the van of society, and leave the impress of their own master-minds on its otherwise rude and shapeless mass;—it is alike the interest and the duty of Colonial Governments to have hot-houses, so to speak, for nursing the rarer and exotic plants of knowledge, as well as kitchen-gardens for rearing those of hardier growth and more general utility; or, in other words, to infuse a taste for knowledge of a superior character, by making the commodity more easily accessible to those who desire it; *and not merely to supply the existing demand, but to create such a demand, where it does not already exist, through a liberal supply.*

“ But to return to our immediate subject. We are well aware that the liberal and enlightened policy which the Home Government have approved and sanctioned, on His Excellency the Governor’s recommendation, will be represented in certain quarters as ‘ a blow at the root ’ of Protestant Christianity—as a wicked attempt to subvert and ruin the Colonial Episcopal Church. His Excellency the Governor can well afford to bear such interested and factious misrepresentations ; in which individuals in this colony are accustomed to embody and to *Herald* forth their disappointed ambition or their pitiful malignity. We admit that the policy which His Excellency proposes to enforce for the future, in regard to ecclesiastical affairs, will operate as a death-blow to that system of Exclusive Episcopal domination, under which Christianity itself has suffered, and bled, and well nigh expired, in this colony—that system which has thwarted and paralyzed the exertions of honest and Christian men ; which has set the ministers of the gospel of peace at variance with each other ; which has planted jealousies and dissensions over the whole surface of society, and tended to alienate from His Majesty the King the affections of the most enlightened and loyal of his colonial subjects. But we deny that the policy to be enforced in future by our Colonial Government will in the least degree affect the Colonial Episcopal Church as a Christian, a Protestant, a useful Establishment : on the contrary, it will improve and elevate its character ; it will infuse the breath of spiritual life into its withered and sickly frame ; it will extend and augment and perpetuate both



its usefulness and its resources; it will rally around it the affections and the energies of many of the Christian people; it will transform it from a mill-stone hung around the neck of the colony into a precious jewel suspended by a chain of wrought gold. Let the Bishop only 'do what his hand findeth to do' for the welfare and advancement of his Church 'with all his might;' let him only 'go where glory waits him;' and Episcopacy will ere long be rooted, not indeed in the Treasury Chest, but in the hearts of a goodly number of the Protestants of Australia.\*

\* "If we could presume to offer advice to Bishop Broughton, in regard to the best means of promoting the interests of Protestant Christianity, in connexion with that portion of the Christian Church in the four Australian colonies of which he has the charge and oversight, we would advise him by all means to follow the example of Bishop Chase, and to strain every nerve for the establishment and endowment of a college, to be designated by some such name as the Bishops' College, for the education of ministers of the Episcopal Church in these colonies. One respectable theological institution, to be situated perhaps near Paramatta, would at present be amply sufficient, as a nursery for the Episcopal Church in New South Wales, Van Dieman's Land, Southern Australia, and Swan River; and we are confident that such an institution would meet with general support among the respectable Episcopalians of the two older colonies. Into an institution of this kind, the want of which is peculiarly evident at the present moment, young men should not be admissible under fifteen or sixteen years of age, nor until they could read the Greek Testament, and the common Latin classics, with fluency. Their preliminary, we mean their general and classical education, could be obtained at the King's School, the Australian College, the Sydney College, or in any private school or academy in the colony. Van Dieman's Land would in all likelihood supply a larger number of students in the first instance than this colony; and the Episcopalian Clergy in both colonies could easily be got to act powerfully as caterers for the institution, both in raising funds and in procuring suitable students from their respective flocks. Four professorships at least should

“We acknowledge indeed, and we do so with sincere pleasure, that the measure to be acted on in future by

be founded, as the basis or groundwork of the institution; all of which we conceive the Government ought to endow with salaries of at least £200 per annum each: the benevolence of individuals would have a sufficient field for the endowment of others. The four foundation professorships should be as follows:—

“1. Intellectual and Moral Philosophy—embracing courses of lectures on the Philosophy of Mind, and on Christian Ethics; the students to be regularly examined, and drilled in composition, by writing essays, &c.

“2. Sacred Literature—embracing prelections on the language and literature of the Hebrews, on their manners and customs, and on difficult passages in the Sacred Scriptures; the students to read the Hebrew and Greek Scriptures daily and largely, and to write analytical and exegetical essays on particular texts.

“3. Church History and Polemical Theology—embracing courses of lectures on the History of the Church, and the controversies that have agitated it down to the present day; the students to write theses, and to conduct public disputations on controverted points.

“4. Theology—embracing a complete course of lectures on the doctrines and duties of Natural and Revealed Religion; the students to undergo regular examinations; and to prepare and deliver homilies, lectures, sermons, &c.

“A moderately good classical scholar, entering an institution of the kind suggested, and of suitable age, dispositions, and abilities, might in four years receive a much better theological education, under four such professors, than three-fourths of the clergy of the Church of England receive at Oxford and Cambridge; where young men, intended for the Church, for the most part *misspend* their time over the classics and the mathematics. With the present prospects of the Episcopal Church in the Australian Colonies, a college of the kind suggested should have as many students from the first, as to enable the Bishop to ordain from ten to fifteen ministers every year, as soon as the first class of students should have finished their theological course.

“The Presbyterians of New South Wales and Van Dieman's Land are not likely to be behind other communions, in the establishment of a theological institution for the training up of ministers of religion; but as the course of clerical education, prescribed by that body, is considerably more protracted than the one required for the Church of

this Government constitutes the Great Charter of the Presbyterian Church: but if any man supposes that the extension and advancement of that communion is incompatible with the increasing prosperity of the Colonial Episcopal Church, and that Presbyterians will, consequently, look with an evil eye on their Episcopalian brethren, he is grossly ignorant of the nature of man and of the genius of Christianity. If any of the larger members of the Christian body fall into a state of lifelessness and inactivity, of disease and spiritual death, the calamity will be felt by all the other members, and they will all suffer along with it. It is only when the blood flows briskly through every vein of the spiritual body, that that body can attain the full vigour and the health of manhood; each member growing with the growth, and strengthening with the strength, of every other.

“As to the mode in which the new system will operate for the future; supposing that a third Episcopalian Church (for which, we acknowledge, there is already room enough in the southern quarter of the town) should be erected in Sydney, will any person suppose that the congregations of these three churches would experience the least difficulty in raising, from pew-rents, a sufficient amount to afford their ministers a salary of £400 per annum each, including the Government maximum of £200? And as the Government propose to contribute half the requisite amount for erecting

England, they will require a larger importation in the first instance from the mother country, as they will necessarily be longer in having colonial-made ministers on the field.”

a permanent dwelling-house for the minister, will any person allege, that such a salary, together with a free house, is not amply sufficient for a minister of any communion in our colonial capital? It appears indeed, from the Abstract of the Colonial Revenue for the past year, that not more than £157. 6s. 7½*d.* was realized, in the shape of pew-rents, for that year, from all the Episcopal Churches in the colony; but this only demonstrates the wretched system of management that has hitherto obtained in that department, and the bad policy, as far as the Government and the Public Revenue are concerned, of supporting the clergy exclusively from the Treasury Chest. The past year was the first in which any thing like an attempt had ever been made to realize a revenue (to be devoted to ecclesiastical purposes) from the Scots Church in Sydney; and under all the disadvantages of that attempt—a congregation dispersed, through the repeated absence of the minister in England, and that minister overburdened with extra-official duties, interfering in no small degree with the duties of the ministry—a revenue of £111 was raised with the utmost facility, and the practicability of raising a revenue of several hundreds a year, in more favourable circumstances, sufficiently demonstrated. The practicability therefore of raising sufficient incomes for the town ministers of the Episcopal Church, on the system about to be introduced in the colony, may therefore be considered as unquestionable. In most of the towns and settlements in the interior, the maximum salary, contributed by the Government, will also be procurable for ministers of the



Church of England ; and if the Bishop only adopts the right means for training up suitable ministers in the colony, and allows the people their choice of these ministers, their incomes will undoubtedly be made ample enough. As for the Presbyterians, who are considerably less numerous in the older districts of the colony, they would seldom be able to realize the maximum salary for *their* ministers ; but being already drilled in some measure into the Governor's semi-voluntary system, they will doubtless receive its provisions as a most valuable political boon, and go to work upon them in right earnest, and forthwith.

“ We shall doubtless be told, that the grand objection to the new system is the admission of Roman Catholics to equal rights and privileges with the Protestant communions. For our own part, as zealous Protestants, we are sorry to find the Government of a Protestant country reduced, as this Government evidently is, to the necessity of supporting and extending what we conceive to be a system of error and delusion—a gross corruption of the religion of Christ. But the fact of the matter is, we cannot help ourselves : the people, to whom Governments are now amenable, will no longer tolerate an Exclusive Colonial Establishment ; and we must therefore just make the best bargain possible, by agreeing to share all alike. But if those Protestants, who object to the Roman Catholics receiving their fair proportion of the public funds for the maintenance of their religious worship, would only agree with the American republicans to recommend to the Government to leave every religious denomination to support

its own ministers, we would reply, 'With all our heart.' At present, however, having fairly, and we confess somewhat unexpectedly, reached the Half-Way-House, on the high road to the Voluntary Principle, we must just 'rest and be thankful.'"

The important measure recommended by Sir Richard Bourke and approved by Lord Glenelg was at length embodied in a bill which has since passed the Legislative Council of the colony, and is now the law of the land. I have not received a copy of that bill, since my return to England; but the following announcement of its general objects, which was published by authority before I left the colony, will afford the reader a general idea of the new ecclesiastical system which now obtains in the colonies of New South Wales and Van Dieman's Land.

Extracted from the 'New South Wales Government Gazette,' 20th July, 1836.

*"A Bill to promote the Building of Churches and Chapels, and to provide for the Maintenance of Ministers of Religion in New South Wales."*

"In conformity to the principles upon which His Majesty's Government have been pleased to sanction contributions from the Colonial Revenue towards the support of public religion in this Colony, it is proposed to enact as follows:—

- "1. That whenever a sum not less than £300 shall have been raised by private contributions towards the building of a Church or Chapel, and Minister's dwelling, the Governor, with the ad-

vice of the Executive Council, to be authorised to issue from the Colonial Treasury any sum not exceeding the amount of such private contributions, to the extent of £1000, in aid of the undertaking.

“ 2. The Governor, with the advice of the Executive Council, to issue stipends to officiating Ministers at the following rates ; namely :—

“ If there be a resident population of 100 adults, subscribing a declaration of their desire to attend the Church or Chapel of such Minister, £100 per annum.

“ If 200 adults, £150 per annum.

“ If 500 adults, £200 per annum.

“ 3. If notwithstanding there be less than 100 adults, the Governor and Executive Council to be authorised to issue, under special circumstances, a stipend of £100 per annum.

“ 4. In places where there is no Church or Chapel, and there is a reasonable ground for delaying the erection of the same, the Governor, with the advice of the Executive Council, to be authorised to issue any sum not exceeding £100 towards the stipend of a Minister, in aid of private contributions to the same amount, such contributions not being less than £50.

“ 5. Trustees, not less than three in number, to be appointed for every Church or Chapel by the private contributors towards the same ; to which Trustees the real estate therein shall be conveyed, and who shall receive and account for sums issued in pursuance of this Act.

- “ 6. Free sittings to be reserved in every Church or Chapel, to the extent of one-fourth of the whole, for the use of poor persons.
- “ 7. Trustees to be appointed for Churches or Chapels already erected.”

In regard to the principle of this important measure, it is but justice to the Government to state, that it was a measure of necessity. The maintenance of an exclusive Episcopal establishment in the Australian colonies was utterly impracticable ; and the maintenance of two contemporaneous establishments, exclusively Protestant, was not less so ; as a measure of that kind would only have opened a wide field for future agitation, and provided an ample theatre for some colonial O'Connell. If “ justice to Ireland,” the professed object of that great agitator, has not yet been attained, His Majesty's Government have at all events done justice, in the great matter of religious establishments, to the Australian colonies. In these colonies, constituted as they are of a population composed of three converging streams flowing contemporaneously from three kingdoms, the only alternative which a Government endued with common sense could possibly have adopted, was that of establishing either the system of the Netherlands and of France, where the clergy of all denominations are supported equally by the Government ; or the system of America, where all are indiscriminately left to the free-will offerings of the people. For my own part, though a member of an established church, and though receiving a liberal salary from the Crown as a minister of that church in a British colony, I confess I should greatly



prefer the latter of these systems—I mean the system of America—for the colony of New South Wales, to the system of three or more contemporaneous establishments, as well Popish as Protestant, which the Government have sanctioned : and were the Government salaries of the clergy of all denominations in that colony to be forthwith and for ever withdrawn, so far from despairing of the cause of God in the country, or from being less loyal as a British subject than I have hitherto been, I should rather be inclined to say, *Advance Australia ! God save the King !*

In fact, I have long been convinced that the interests of the Christian religion would by this time have been in a much more advanced and prosperous state than they actually are, even in the convict colony of New South Wales, if not one sixpence had ever been paid from the colonial treasury to a single minister of religion in the territory, and if the planting of churches in the colony had been left entirely to Christian philanthropy and British benevolence. Religion is a sensitive plant, which, when delicately handled, refuses not to grow under the shadow of the royal oak ; but it is so apt in that situation, and especially in the colonies, to be trodden down by the sycophant, the formalist, and the worldling ; while other plants, which the Great Husbandman has not planted, are so apt to be cultivated in its stead, that it is far likelier to flourish in the open field of the world, where those who are unacquainted with the habits of the plant are apt to imagine it can find no depth of soil to strike its roots downward, and no shelter from the pitiless storm. So long as the Ark remains the symbol of

the God of Israel, the Strength of Israel is pledged for its defence : when it ceases to maintain that high character, it is worth defending no longer. A short-sighted priesthood—a priesthood of little faith—may be ready to exclaim in the bitterness of their heart, at the first murmurings of the storm that seems ready to burst over the religious establishments of the mother country, *The glory is departed, for the Ark of God is taken!* But the mighty and mysterious symbol will still be safe even in the cities of its enemies ; and the gods of the Philistines and the might of their people will at length fall prostrate before it.

The evil spirit of liberalism and infidelity has doubtless planted itself, like Samson, between what it considers the two main pillars of Christianity—I mean the two Protestant Established Churches of Great Britain and Ireland ; in the hope, that by wrenching these pillars from their pedestals, the whole fabric of Christianity will fall to the ground, and the restraints of religion be altogether removed. But, in cherishing such an idea, Infidelity is still as blind as was the son of Manoah. It is only the house of Dagon she can bring down with all her efforts : it is only the lords of the Philistines she can overwhelm under its ruins. The Church of the living God is founded on a rock : Infidelity can neither shake nor subvert it. The earth may be removed, and the mountains be carried into the midst of the sea ; but the ensign for the people will still wave as conspicuously as ever on the hill of Zion, and the pure river of the water of life will still gladden the inhabitants of that city of God.

In regard to the practical operation of the new ecclesiastical system to which the colonists of New South Wales and Van Dieman's Land are now subjected, I am happy to state that it promises to be attended with the happiest results. It has already infused something like life and vigour into the withered and shrivelled arm of colonial Episcopacy; it has proved as life from the dead to the Presbyterian communion. By the Episcopalian laity of all classes it has not only been acquiesced in as a measure of urgent necessity, on the score of justice to others, but received as a measure of real benefit to themselves. Local committees for the raising of the funds requisite for the erection and endowment of additional churches of that communion in all parts of the colony, were formed immediately after the announcement of the new system, under the auspices of Bishop (formerly Archdeacon) Broughton, who had then recently arrived from England; and corresponding committees have since been appointed in England and Ireland to select and to send out to the colony suitable ministers. Such efforts deserve unqualified praise, and I hope and trust they will be abundantly blessed for the spiritual welfare of the colonists of Australia. When I hear, however, of a subscription being also set on foot for the same purpose in the mother country,—when I observe a touching appeal to the Protestants of England in behalf of the colonists of New South Wales, and a contribution of not less than three thousand pounds announced in the public prints as obtained for the purpose of building them Episcopalian churches—I cannot but acknowledge that there is

somewhat of *the leaven of the Pharisees and of the leaven of Herod* mixed up with this religious excitement. The Episcopalians are undoubtedly the wealthiest of all the three leading communions of New South Wales, and I have no hesitation in expressing my belief and conviction, that they are quite willing to provide themselves with the regular dispensation of the ordinances of religion, under the new system, in all parts of the colonial territory. In such circumstances, it is not only mean and unworthy in the extreme, it is absolutely dishonest to practise on the honest gullibility of the Episcopalians of England, by inducing them to believe that it is either necessary or a duty incumbent on them, to assist their *poorer* brethren to build churches in New South Wales. I say, *absolutely dishonest*; for whereas the appeal to the Protestants of England is founded on the assumption that these churches are required for the convicts, who have no means of building them themselves; the fact is, that of the twenty-five thousand convicts at present in the colony, upwards of twenty-one thousand are in the employment of wealthy colonial proprietors, who are both able and willing enough to build churches for them wherever they are required. I repeat it, it is absolutely disreputable to the colonial Episcopalians, as it is also somewhat discreditable to the colony itself, to allow any man or class of men to solicit charity for them in England, or to chant, on their behalf, "A begging we will go." For my own part, although belonging to a communion which has considerably less wealth at its command than the colonial Episcopacy, I have uniformly disclaimed the desire to



obtain any thing whatever, in the shape of subscriptions in the mother country, for the erection of churches for that communion in New South Wales ; employing such language as the following :—" Give us only right-hearted men to do the work of itinerant ministers and evangelists throughout our territory, and, like the ancient Jews, *we will build OURSELVES unto the Lord God of Israel.*"

The Episcopal Church establishment in New South Wales comprises a bishop and eighteen chaplains ; but there is room enough, at present, for at least ten or twelve additional Episcopalian ministers in the colony. Of the Presbyterian communion in connexion with the Church of Scotland there are only five ministers in New South Wales, and four in Van Dieman's Land ; the energies of that communion having hitherto been in great measure repressed through the obstacles that were uniformly thrown in the way of the establishment of additional churches, under the old system, by the local government : but the number of the Presbyterian inhabitants of both colonies, the extent of land they occupy in all parts of the colonial territories, and their general resources, will enable them to settle not fewer than twenty additional ministers in New South Wales, and ten in Van Dieman's Land, as soon as the necessary arrangements can be effected, and suitable ministers procured from the mother country.

As the Roman Catholic population of New South Wales, which comprises about a fourth of the entire population, consists almost exclusively of convicts, and emancipated convicts and their families, while the

Episcopalian and Presbyterian communions comprise a very large majority of the free emigrant inhabitants, together with a large proportion of the convicts and freed persons; the greatly superior advantage which the friends and members of these communions will have in rendering the new arrangement available for the planting of additional Protestant churches, and the settlement of additional Protestant ministers, is evident and unquestionable. At the same time, the strenuous and well-directed efforts of the Roman Catholics, who have now a Bishop in New South Wales,\* and a Vicar in Van Dieman's Land—of whom the latter is at present in England, procuring a supply of Romish priests for the two colonies, while the former is endeavouring to found a college for the education of priests in New South Wales, doubtless not merely to rivet the chains of popery on its present adherents in the Australian colonies, but to extend the reign of superstition over the neighbouring and highly interesting isles of the

\* It is not the fact, although it is still commonly asserted by the Tory party in England, that the *infidel* Whigs sent out a Romish bishop to New South Wales, with a salary of a thousand a year. Dr. Poulding, the bishop alluded to, had no salary when he went out to that colony; but he obtained one of five hundred per annum from the Legislative Council of the colony shortly after his arrival, on the memorial and petition of the Roman Catholic population. The ecclesiastical Tories of the mother country, who are fond of dwelling on such cases as the one I have mentioned, as proofs positive of the popish and infidel tendencies of the Whigs, should recollect that it was the Tories (Earl Bathurst being Colonial Secretary at the time) who first sent Roman Catholic priests with salaries from the state to the Australian colonies. With the policy or propriety of such a measure, I am not concerned at present. All I intended was to show that it was originally a Tory measure, for the principle of which that party are consequently responsible.

Pacific,—should doubtless animate the zeal of all the Protestant communions of the colonies, and stir them up to every needful exertion, to maintain the moral ascendancy and to secure the general reception of the great doctrines of the Protestant Reformation in those vast territories, of which Great Britain has, most fortunately for the best interests of humanity, been enabled by Divine Providence to obtain possession in the Southern Hemisphere: for, as the Man of Sin, feeling his throne tottering on the Old Continent, is now in anxious and diligent search for new continents to subject to his unhallowed domination, it surely becomes the bounden duty of the friends of the Protestant Reformation generally, whether they march under the standard of Reuben or under the standard of Judah, to unite all their moral and spiritual energies to secure the attainment of their common object, and thereby to rescue the fair provinces of the Australian continent, with the multitude of the isles adjacent, from that moral incubus, to which they will otherwise be subjected, and which has evidently paralysed all the energies of Southern America.

In short, on the character and conduct of the Protestant ministers of all communions who may be sent forth to supply the present demand for such ministers in the Australian colonies, and thereby to form the nucleus of a Christian Church in one of the most important centres of moral and religious influence which the round globe presents at this moment to the eye of Christian philanthropy, will depend, in a far greater degree than can possibly be conceived in England, the

welfare of a large portion of the future inhabitants of the Southern and Eastern Hemispheres. From its vast extent and boundless resources, from its rapidly increasing wealth and population, and especially from its geographical position, the colony of New South Wales will not only take the lead among the Australian settlements, and ensure general predominance in that continent to whatever communion, whether Protestant or Roman Catholic, shall eventually occupy the foreground in its territory, but prove a source of moral influence, besides, either for good or for evil, to millions and millions more of the human race: for, in addition to a continent nearly equal in extent to all Europe, and presenting, moreover, eight thousand miles of sea-coast, numerous harbours of first-rate character and importance, and an unknown extent of available land, the moral influence of the Christian Church of New South Wales will extend, eventually, to the neighbouring islands of New Zealand, containing a native population of half a million of souls, and comprising an extent of territory almost equal to that of the British islands; to the western islands of the Pacific, numberless and teeming with inhabitants; to the Indian Archipelago, that great storehouse of nations; to China itself. That the Romish Propaganda has already directed her vulture eye to this vast field of moral influence, and strewn it in imagination with the carcasses of the slain, is unquestionable. Spanish monks and friars have within the last few years been sent from the recently formed republics of South America to the eastern islands of the Pacific: other groups, still more distant from the



American continent, have also been surveyed and taken possession of by Romish missionaries, direct from France; and the Roman Catholic Bishop of New South Wales is already taking his measures for co-operating with these missionaries, from the westward, by transforming the sons of Irish convicts in New South Wales and Van Dieman's Land into missionary priests, and dispersing them over the length and breadth of the vast Pacific. In such circumstances, any thing like listlessness or inactivity, on the part of the Protestant communions of New South Wales, would be nothing less than high treason to the cause of the Protestant Reformation.

In making the requisite preliminary arrangements for the organization and establishment of the Presbyterian Church, under the new ecclesiastical system, in the Australian colonies, I was expressly authorized by many and influential Presbyterians, both in New South Wales and in Van Dieman's Land, to apply for ministers for these colonies to all the three great divisions of that communion—first to the Church of Scotland and the Synod of Ulster; but, if unsuccessful in these quarters, to the Presbyterians of America. The Australian colonies are at present peculiarly a missionary station, and the minister who is likely to be of any service to the community in such a station must consequently be prepared to go forth to his future field of duty with a missionary spirit and in a missionary character: but such, I am sorry to say, is by no means either the character or the spirit of a large majority of the present ministers and licentiates of the Scottish Church; and it is therefore expedient, if not absolutely necessary, in looking for the

moral and spiritual renovation of the Australian colonies, to look also to other portions of the Presbyterian communion, in which there may be still more remaining than in that body, of the life and vigour of other days. Besides, the Scottish clergy have for some time past been putting forth such anti-confession-of-faith doctrines, and following such *divisive* and irrational courses;—lauding the system of Episcopacy, merely because it happens to be the system *established* in England and Ireland; defending the grievous abuse of church-rates, and thereby doing their utmost to prevent the *civil magistrate* from reforming the Church of England; and endeavouring with all their might, like *wise master-builders*, forsooth, to rest the main beam of the Scottish establishment on the gable-end of the Irish Church;—that it would scarcely be safe to entrust them with the exclusive organization of a church to be established on the old Presbyterian model in the Australian colonies. I am happy, therefore, to have it in my power to state, that in consequence of an application to the Synod of Ulster, emanating from the colonies and sanctioned by the Government, not fewer than six Presbyterian ministers of approved character and established reputation are about to proceed from that Synod to New South Wales and Van Dieman's Land, for the express purpose of assisting in laying the foundations of the Presbyterian Church in these colonies. An application has also been made very recently to the American Board of Missions, for several regularly educated and ordained Presbyterian ministers from the United States, to be employed as itinerant ministers in various parts of

the colonial territories, under the direction of the colonial Presbytery. Both of these communions—the Synod of Ulster and the American Presbyterian Church—were originally emanations from the Church of Scotland; and they seem at present to be in a somewhat healthier state than their venerable parent, and consequently in a fitter condition for evangelizing countries of so peculiar a character as the penal colonies of Great Britain and Ireland. Their ministers, moreover, have been much less affected by the agitation of the voluntary question than the great majority of the Scottish clergy, and have consequently not been transformed (as I am sorry to say has been the case with not a few of the more influential of the latter) into mere political crusaders, as little animated with genuine Christian principle, in their pitched battles with the Whig Government and the voluntaries, as their famous prototypes of old in their wars with the Infidel for the Holy Land.\* Indeed, as His Majesty's *Infidel* Go-

\* The doctrine of the Confession of Faith, on the subject of ecclesiastical establishments, is simply that the *civil magistrate* is bound to establish and to support the Christian Church, *wherever and whenever he can do so, on the Presbyterian model*. In regard to the obligation on the part of the civil magistrate to establish and to support the system of prelacy or episcopacy, it cannot even be alleged that the authors and original supporters of that famous standard are silent on the subject; for one of the main objects of their *Solemn League and Covenant* was to extirpate prelacy, as a monstrous usurpation of the rights and prerogative of the divine King and Head of the Church, as well as an intolerable grievance to the Christian people. But the *Scots worthies* of the present age have altogether renounced these avowed principles of their forefathers, whose *sepulchres*, however, they certainly do still *whiten* after the approved example of certain respectable religionists of the olden time; for the main object of the new *Solemn League and Covenant* is

vernment, to use the singularly appropriate phraseology of the day, have most judiciously sanctioned the employment of itinerant ministers of various communions in the Australian colonies, and as such ministers cannot possibly be obtained in sufficient number for the Presbyterian communion from Scotland, it has become a matter of necessity to invite such ministers into the colonial field from other sections of the Presbyterian Church. In fact, the demand for ministers of all the leading communions in these colonies will very shortly far exceed all possibility of supply from the mother country, and the colonists must therefore look for a future and permanent supply to a native ministry. In truth, there seems little probability of making either a powerful or a lasting moral impression on the colony generally, till native ministers of religion are trained up within the colonial territory, and sent forth in all directions over the length and breadth of the land.

Besides the three leading communions I have enumerated, there are several congregations of Wesleyan Methodists in New South Wales, with a congregation of Independents, and another of Baptists, in the town of Sydney. The Baptists and Independents are not numerous, but are increasing. The Wesleyan Methodists, of whom the number is considerably greater than that of either of these denominations, have by no means made so strong an impression on the colony as might have been anticipated. In Sydney, the number of

not only to uphold the system of prelacy, but to perpetuate its worst abuses, whether in the form of English church-rates or of Irish episcopacy.



their body is not large, considering the time they have been settled in the country, and the strength they have at different periods been able to bring into the colonial field. Out of Sydney, their numbers are inconsiderable. This is certainly to be regretted in a convict colony; for, although I am no admirer of the theological system of that body, I cannot but acknowledge, that many of their number exhibit a warmth of piety and a fervency of zeal, which, although occasionally mingled with extravagance, are relics of the best ages of the Christian Church, and are not always to be met with in other communions. There are evidences, however, of recent improvement in this denomination in the colony. Indeed, the state of torpor into which it had previously sunk, was owing, in great measure, to the prevalence of blighting winds from a quarter I have already indicated; but a fresh infusion of warm blood from the mother country has again begun to warm and to invigorate the system.

A baneful influence has undoubtedly been exerted on the colony from a circumstance to which I have already alluded,—I mean the recklessness with which individuals, who had been sent out to the Australian colonies or to the South Sea Islands as missionaries, and had acted for a time in that capacity with various success, have subsequently quitted the missionary field, and divested themselves of the missionary character altogether; becoming thenceforth mere laymen, and devoting themselves exclusively to secular pursuits. I am no advocate for the Popish doctrine relative to “Holy Orders,” which, it is preposterously conceived by the members of the Romish Church, communicate a new,

a sacred, and an indelible character to the individual, independently of his own moral and religious standing in the sight of God and man ; but I can easily conceive how that doctrine has been distilled, in the Babylonish alembic, from the right feelings of primitive Christianity, in relation to the ministerial character and office. The doctrine of primitive Christianity was doubtless, that the man, who had once borne a commission in the grand army of the Faith, was never afterwards at liberty to quit the service, or to throw down his arms in disappointment or despair. The tenor of the “ Sacramentum,”\* or *oath* he was supposed to take to his Commander-in-Chief, the Captain of his Salvation, was “ that he should yield true and faithful allegiance as a good soldier of Jesus Christ, even unto death ; and that he should be ready to march wherever he was ordered, and to bear arms amid hardships, dangers, and deaths, wherever the Christian banner was uplifted and unfurled ; that he should receive without murmuring whatever allowances, either of food or raiment, should be assigned him ; that his period of engagement should be for life, and his full pay be receivable only after he had fallen in the field.” While such an oath was faithfully kept, as it doubtless generally was in the first ages of the Church, the ministerial character and office were necessarily regarded with a feeling of reverence, which no church dignitary

\* The use of this military phrase, which was quite intelligible to an old Roman, but which was afterwards mystified for obvious purposes, doubtless gave occasion to the grand absurdity of the Romish “ *Sacrament of Orders*.”

created by a royal *congé d'elire* can ever inspire. In comparison with such a feeling, however, how contemptible is the estimate which the world must naturally form of the individual, who, after having once taken the *sacramentum*, or oath of a Christian minister or missionary, nevertheless feels himself at liberty to throw up his commission whenever it suits his convenience, or to abandon his proper field of labour whenever he finds difficulties in the way! New South Wales teems with cases of this kind, furnished indiscriminately by all the three societies that have hitherto sent missionaries to the South Seas or the Australian colonies, viz. the Church of England Missionary Society, the Wesleyans, and the Independents or London Missionary Society; insomuch, that one can scarcely step abroad in the colony without treading on the toes of an ex-minister or missionary. I have already alluded to our ex-missionary graziers, cattle-dealers, and constables; we have also had ex-missionary grocers and bakers, haberdashers and timber-merchants;\* and the transformation that has thus been effected in so many instances has not only had a

\* When a missionary becomes an instructor of youth, especially after long service in the missionary field, I conceive he is still in his proper sphere, and in no way amenable to censure: but the man who trifles with the *sacramentum*, or oath, which a Christian minister or missionary is still conceived to take, to whatever division of the church militant he belongs, and throws up his commission and becomes a layman again from mere motives of convenience, or from the apprehension of difficulties and danger, is a deserter, and deserves to be branded as such by all Christian communities. Much of the evil, doubtless, arises from the facility with which people get themselves transformed into ministers or missionaries in certain quarters.

powerful influence in bringing the ministerial character and office into suspicion and contempt, but has given currency to the scandalous idea, that the profession of a minister of religion, or of a missionary to the heathen, is merely one of the numerous means of gaining a livelihood, which a man may abandon for some other more profitable mode whenever he finds it has not completely answered his views, with as little impropriety as when an unsuccessful medical practitioner becomes a merchant or settler.

There is a Temperance Society in the town of Sydney, with ramifications in other parts of the colony; but the obstacles with which the cause of temperance has necessarily to struggle in a convict colony—a colony necessarily abounding with the victims of intemperance and of its frequent consequence criminality, and so favourable withal for the acquisition of the means of unhallowed indulgence—are too formidable to warrant the anticipation of general or even of considerable success. To have not merely permitted, but encouraged and promoted, the unlimited importation and the general consumption of ardent spirits in a colony established for the punishment and reformation of transported criminals, many of whom had to date their criminality from their first addiction to the vice of drunkenness, was an instance of misgovernment equally gross and inexcusable on the part of the colonial authorities from the first settlement of the colony; and I am doubtful whether the colony can ever recover from its baneful effects, until transportation to its territory ceases and determines. In a new penal colony, to be established to the



northward of the present settlements of New South Wales, the absolute prohibition of the importation and manufacture of ardent spirits, which I consider a measure of indispensable necessity for the good government of such a colony, could be enforced with entire facility. It would be extremely difficult, however, if not absolutely impracticable, to enforce such a measure within the present colonial boundary.

In connexion with the means of religious instruction enjoyed by the colonists of New South Wales, the Bible, Missionary and Tract Societies of the colony deserve to be noticed. I cannot say, however, that any one of these societies has prospered greatly—I mean in elevating the religious tone and feeling of the colony; for, as to the amount of money contributed and forwarded to England, I am by no means disposed to regard achievements of that kind, notwithstanding the self-gratulation and the interchange of votes of thanks to which they annually give occasion among the guinea-a-year subscribers of the colony, as a certain indication of the religious state of the community. Indeed, religious societies are now so much the order of the day, that they have become rather an equivocal test of the real standing of the church in general in any Protestant country, but especially in New South Wales.

It would be unpardonable to conclude this chapter without alluding to the efforts that have hitherto been made, whether on the part of the colonial Government or of the religious public in the mother country, for the christianization and civilization of the aboriginal inha-

bitants of New South Wales. Dispersed over the whole extent of the vast continental island of New Holland, and broken up into innumerable tribes, each inhabiting its own distinct territory and speaking its own barbarous tongue, but all equally ignorant of the very humblest of the arts of civilization—without fixed habitations, without the slightest knowledge of agriculture, without clothing, and almost without mythology or religion—the aborigines of New Holland unquestionably present one of the most striking and at the same time unaccountable phenomena in the history or condition of man. Like a diseased limb amputated from the healthful body of humanity, and thenceforth deriving no well-directed activity from its intelligent head, no warmth and vigour from its beating heart, their existence may be designated a living death, and their continued preservation, perhaps for thirty centuries, in that anomalous state of existence, as almost miraculous.

I should be sorry to countenance the prevalent idea, that the aborigines of New Holland are deficient either in intellectual capacity, or in those feelings and affections that proclaim the relationship of their possessor to the white-skinned and highly-favoured aristocracy of man. On the contrary, the facility with which their children acquire the arts of reading and writing, the shrewd observations they are frequently observed to make in the most artless language on men and manners, and the strong parental and conjugal affection they sometimes exhibit, sufficiently demonstrate, that their intellect, however clouded at present, is nevertheless a latent spark of the same ethereal fire that lights up the un-

derstanding of a European philosopher, and that it is still the warm blood of humanity that is circling in their veins.

The aborigines of New South Wales have suffered deeply from the transportation system, or rather from its past mismanagement, and from the scenes of dissipation and brutality on the part of the convict population of the colony, to which that mismanagement has so frequently given rise. To ask, therefore, why the aborigines have not yet been civilized under the process of *civilization*, forsooth, to which they have thus been subjected for the last forty-nine years, and to condemn them to hopeless degradation because they have hitherto remained obstinately attached to their native habits, is surely most unphilosophical; especially when the civilized man, with whom they have come the most frequently in contact, has been tenfold more a brute or a savage than themselves. To the man, whose truly *romantic* love of liberty disdains the confinement of a house and the encumbrance of clothing, the condition of civilization cannot surely appear by any means attractive, when it subjects so large a proportion of those who belong to it to bondage and punishment, and consigns them often to the lowest depths of moral degradation: for even supposing that the black native could sufficiently comprehend the ground and origin of the palpable distinction which must necessarily subsist in a penal colony between the free and the bond, how is he to understand the *rationale* of such a case as that of a convict sentenced to receive fifty lashes, whether for *laziness*, for *disobedience*, or for *insolence to his master*, when the

probability is that there are not even words for such ideas in his barbarous tongue?

Again, if it should be asked why the aborigines have not yet been christianized, I would ask the previous question, What efforts have ever been made for the accomplishment of that great object, from which success could possibly have been expected by any rational, any Christian man? Towards the close of the year 1835, I drew up a series of papers, under the title of 'Missions to the Aborigines,' for the colonial journal to which I have already alluded, partly to furnish an historical account of the various efforts that had been successively made on behalf of the aborigines from the first settlement of the colony, and partly to point out the causes of the uniform failure of such efforts, and the principles on which missions to the aborigines should be established and conducted. Certain remarks in one of these papers, containing an account of the formation and ruin of a mission established in the year 1825, under the auspices of the London Missionary Society, gave rise to an action for libel at the instance of the individual to whom they referred; and, as I acknowledged the authorship of the obnoxious remarks, the prosecution was transferred from the editor of the Journal to myself individually; and for various reasons, which it is unnecessary to enumerate, I defended the case in person. The trial, of which the reader will find a detailed account, copied from one of the colonial journals, and embodying a retrospective view of the history and fate of the earlier missions to the abori-



gines, in the Appendix, No. 3, lasted for two whole days, and excited intense interest in the colony; the damages being laid at a thousand pounds. At the close of the proceedings, the jury, after having retired for some time, requested to be informed by the judge, whether they could return such a verdict as would leave each party to pay his own expenses; thereby intimating in a sufficiently intelligible manner their general estimate of the character of the prosecution. On being told, however, that no such verdict could be received, they retired a second time, and brought in a verdict of *one farthing damages* for the plaintiff. By that verdict, the expenses of the suit, which were considerably upwards of a hundred pounds, were charged to my account; *but the whole amount was immediately paid by the colonial public.*

The only missions to the aborigines at present in existence are those of Wellington Valley in the interior, and of Lake Macquarie on the coast. The account of the trial already alluded to will afford sufficient information relative to the origin and history of the latter of these establishments, both of which are under the auspices and direction of the Episcopal Church: the former, I am sorry to add, is by no means in a flourishing condition; but what else can reasonably be expected, when sheep and cattle speculations are suffered to be combined, under whatever pretences, with the proper duties of a missionary to the heathen? How very different (to suppose a case in point) should our estimate of the Great Apostle of the Gentiles be, from

what it actually is, were we to find him commencing his Epistles not merely as Paul the Apostle, but as Paul the Apostle and Grazier !

His Majesty's infidel Government (for it is quite refreshing to be called on to enumerate such singular evidences of modern infidelity, so strongly contrasted as they are with the ancient and approved colonial evidences of Tory religion) have recently authorized, and pledged themselves to promote, the establishment of a mission to the aborigines at the settlement of Moreton Bay, to the northward of Sydney, in latitude  $27\frac{1}{2}^{\circ}$  south, to be under the management and control of the colonial Presbyterian Church. As missionaries, however, for that very important station could not be obtained from Scotland ; and as licentiates of the Scottish Church, even supposing that such licentiates were emigrating with that view, would in all likelihood be invited to undertake the charge of congregations of European origin on their arrival in the colony, and would thus be led to leave the aborigines to their fate, I was induced, in the course of a rapid tour on the continent, —in France, Germany, and Holland,—since my arrival in England in the month of November, 1836, to endeavour to connect the colonial Presbyterian Church, in its future missionary efforts and operations, with the reviving Christianity of Germany. In this endeavour I am happy to state I have hitherto been successful ; a licentiate of the Prussian Church, educated at the Universities of Hallé and Berlin, and two natives of Wurtemberg, educated at the missionary college of Basle in Switzerland, having already been engaged as

missionaries to the aborigines of New South Wales, for the proposed settlement at Moreton Bay. In addition to these three clerical missionaries, other ten of the class of schoolmasters, catechists, or general assistants, have also been engaged to accompany them to their destination, and to co-operate with them in their labours. These assistant missionaries are all of the class of artisans, but have all for some time past been under training for missionary labour, under the charge of the Rev. J. Gossner, formerly an Austrian Roman Catholic priest, but now the devoted pastor of the Bohemian Church in Berlin, and a zealous "preacher of the faith which once he destroyed." The proposed mission will be somewhat different in its constitution and mode of management from any that have hitherto been established on the Australian continent; as the clerical missionaries will in all likelihood be recognised as an integral portion of the colonial Presbyterian Church, deriving their support partly from the Government, and partly from the Christian laity of the colony; while the missionaries generally will not be subjected to the capricious management and domination of a Board of Directors in England. Their number, moreover, will afford a stimulus and a salutary check to their whole body; while there is reason to hope that it will serve, under the Divine blessing, to preserve it from that spirit of secularization, which has hitherto proved the ruin of missions to the aborigines of New South Wales.

## CHAPTER VIII.

VIEW OF THE STATE OF EDUCATION IN THE  
COLONY, WITH AN ACCOUNT OF THE ESTABLISH-  
MENT OF THE AUSTRALIAN COLLEGE.

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Magnum opus et arduum, sed Deus adjutor noster est.

AUGUSTIN. DE CIVIT. DEI, lib. I. c. 1.

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THE consideration that induced me the more willingly to follow the leadings of the good providence of God, in embarking for New South Wales for the first time, was the high idea I had formed of the geographical position of that colony, as affording a fit station for exerting a salutary influence on a numerous and by no means uninteresting portion of the family of man. From the Heads of Port Jackson, the British philanthropist can look to the northward, and westward, and southward, over a vast and untraversed continent, which he knows the all-wise and all-powerful Creator has *made to be inhabited*; and whose hills and valleys, he knows, therefore, will at length teem with a numerous population. To the eastward, the vast Pacific with its myriads of isles, lies outstretched before him; and though the multitudes of these isles are far remote



and unseen in the distance, he feels that that distance is almost annihilated, when his own singular position on the habitable globe reminds him that he is a native of *the land shadowing with wings, which is beyond the rivers of Ethiopia—the land that sendeth ambassadors by the sea, even in swift vessels upon the waters.\** To the north, the Indian Archipelago extends far and wide, from the shores of New Holland to the sea of Japan ; and on fixing his eye for a moment on its numerous and populous isles, he almost fancies he already beholds the half-naked and furious Malay *sitting clothed, and in his right mind*, at the feet of Europeans. Adown the vista of these islands, his eye reaches even to the shores of China—that fruitful *womb of the morning*, in which, perhaps, may yet be hidden the future *kings of the East* ;† and as his mind fills with the glowing and sublime ideas which the thought engenders, he almost exclaims, “O, for the lever of Archimedes to elevate the world !”

Soon after my first arrival in New South Wales, it appeared to me that there were three ways in which a person in my own comparatively unimportant situation might nevertheless be useful in promoting the general welfare and advancement of the colony, and in preparing the way for the future accomplishment of the higher objects to which I have alluded ; viz. 1st, By securing for the Scotch and other Presbyterian inhabitants of the colony, the regular dispensation of the

\* Isaiah xviii. 1, 2.

† “ Behold, these shall come from far ; and, lo, these from the north and from the west ; and these from the land of Sinim.”—Isaiah xlix. 12.

ordinances of religion, agreeably to the customs and institutions of the Scottish National Church ; 2ndly, By devising ways and means of introducing into the colony a numerous, industrious, and virtuous free-emigrant population of the working classes of society ; and 3rdly, By promoting the establishment of an academical institution for the education of youth in the colony, on the liberal and economical principles of the schools and colleges of Scotland.

I have already detailed the measures adopted for the attainment of the first two of these objects, and the degree in which they have hitherto been attained. On embarking for Europe in the year 1824, I proposed making some effort, during my stay in England, in reference to the third—the establishment of some provision for the general education of youth in the colony ; but from circumstances, of which it is unnecessary to inform the reader, the attempt proved abortive. On returning to New South Wales in January, 1826, I found that an institution, designated *The Free Grammar School*, had just been formed in Sydney, on the plan of various institutions of a similar kind in the mother country ; and a few months thereafter, I was utterly astounded ; in common with most of the colonists, at the promulgation of a Royal Charter appointing a Church and School Corporation for the religious instruction and for the general education of the youth of the colony, *on the principles of the Church of England, exclusively*, and allotting a seventh of the whole territory, for that purpose, to the Episcopalian clergy, with free access, in the mean time, to the colonial treasury-chest. It

will scarcely be believed, that so wanton an insult, as this precious document implied, could have been offered to the common sense of a whole community, even by the late Tory administration ; or that men could have been found in the nineteenth century to perpetrate so gross an outrage on the best feelings of a numerous body of reputable men. But so it was ; and the education of the colony thus appeared to have passed completely into other hands, and seemed likely to be little indebted to Presbyterian instrumentality.

The course of the Free Grammar School was short and inglorious. The masters were speedily dismissed ; and the patrons of the institution, who had been at best but a rope of sand, speedily quarrelled with each other, and broke up. By this means, the field of competition was left entirely unoccupied for no fewer than four or five years together ; and during the whole of that period—the period of the high and palmy state of the Church and School Corporation—it was completely in the power of the Archdeacon and the Episcopalian clergy of the colony to have formed a noble institution for the general education of the youth of Australia, with the very crumbs that fell from their Corporation table. Nay, if they had only been possessed of the smallest modicum of common sense, that can reasonably be supposed to be allotted to any body of privileged and chartered individuals ; or if they had even been actuated by those instinctive feelings of self-preservation, that are commonly supposed to be strongly operative in all such bodies of men ; the members of the Corporation might have secured the exclusive predominance of

Episcopacy in the management of the education of the whole colony, for all time coming. But the Venerable the Archdeacon, and the other members of the Church and School Corporation, seem to have been possessed with a spirit of absolute infatuation; which, however, has at length issued in the deliverance of the colony from a yoke which would otherwise have proved intolerable in the end, and would sooner or later have been violently broken asunder during some general burst of public indignation. To think of twelve or fifteen colonial ministers of religion managing for years together to spend public money to the amount of upwards of £20,000 a year, under pretence of providing for the religious instruction and the general education of so small a colony as New South Wales, without providing the colony all the while with a single school in which a boy could be taught the simplest elements of mathematics or the merest rudiments of the Latin tongue—why, the thing appears so monstrous in the present age of light and of learning, that it would have been absolutely incredible, if it had not actually occurred! By one of those strange anomalies, the frequent occurrence of which in all the colonies of the empire evinced the wisdom and beneficence of the late Tory administration, a considerable proportion of the gentlemen who were appointed by Royal Charter to preside over the *department of public instruction* in New South Wales, consisted of persons who had only received the commonest education themselves, and who could not have *axed* their way through a page of Virgil or Homer to save them from the knout. It was accord-



ingly whispered in the colony, that it was the object and design of the gentlemen I allude to, to prevent the youth of Australia from ever rising superior to their own humble level; and that they had wisely concluded this maxim of a distant age to be in every respect suitable for a distant settlement;—"Ignorance is the mother of devotion" to colonial Episcopacy.

I have already stated, that for some time after the institution of the Church and School Corporation, the mere management of that establishment cost upwards of £2000 a year. The present Bishop of New South Wales reduced that monstrous item of expenditure, shortly after his arrival in the colony, to £840 per annum. It should never have exceeded this comparatively smaller amount; it should never have equalled one half of it. Was it expedient, I would ask, to expend hundreds a year for the rent of one of the largest houses in the colony for a Corporation Office, at a time when hundreds of miles of inhabited country in the territory were utterly unprovided with the ordinances of religion in any form? If the use of a room could not have been obtained gratuitously from the Government, why was there not some *upper chamber* hired in Sydney for one-fourth of the actual rent of the Corporation Office, till some decent provision had been made for supplying the spiritual wants of the colony? Again, was it expedient for the Corporation to maintain an expensive establishment of four clerks to keep their petty accounts of a dozen churches and two dozen schools, and to give the first of these clerks a salary of £400 a year, and the rest in proportion, so

long as they were utterly unable to point to a single school in their whole establishment, in which a boy could be taught the Eton Grammar? A single clerk with a salary of £150 per annum, with an assistant to write duplicates, ought to have been quite sufficient to transact the whole business of the Corporation, till the wants of the colony in these most important respects had been properly supplied. In short, with the annual amount which the Corporation ought to have saved on the mere item of management, grammar-schools of a most efficient character might have been established and endowed all over the territory.

But the British public have been told, in a letter published in the Times newspaper on the 22nd of October, 1832, that it was not the fault of Archdeacon Scott—the writer of that letter, and the “magnus Apollo” of the Corporation—that schools of a higher character were not established in New South Wales by the Church and School Corporation of that colony. The Archdeacon, it seems, had written repeatedly on the subject to the Secretary of State, soliciting a fresh grant for the purpose. In other words, after expending £20,000 a year, or thereabouts, in the way and for the purposes I have mentioned, the Archdeacon modestly asks a fresh grant for Episcopal Grammar-Schools! The Right Honourable Secretary, it seems, had more of the article of conscience than the Archdeacon suspected; for he paid no attention to the modest request.

Whether the state of things I have thus described arose from incompetency, from covetousness, or from

inconsiderate extravagance, on the part of those to whom the department of public instruction was so long exclusively entrusted in New South Wales, it is quite unnecessary to inquire. The colonists have at all events learned this important lesson from the past—and it is a lesson which most assuredly will never be forgotten—that the interests of general education in that colony can no longer be entrusted with safety to the colonial Episcopacy.

Towards the close of the year 1829, I happened to receive a letter from the Rev. Dr. Adamson, minister of the Scots Church, Cape Town, South Africa, enclosing a copy of the prospectus of an academical institution then recently formed in that colony, and designated *The South African College*; in the formation of which, it seems, my friend and brother had been somewhat instrumental. With a view, therefore, to recall the attention of the colony to the subject of education, on which there had then for a long period been a deep and general silence, I procured the republication of the South African prospectus in one of the colonial newspapers, in which there were also inserted, at the same time, two anonymous papers I had prepared for the purpose, comparing the circumstances of the colonies of the Cape of Good Hope and New South Wales in a variety of respects, and demonstrating the practicability of establishing an academical institution, (comprising a series of elementary and classical, as well as higher schools) for the general education of youth in the Australian colony, on a plan somewhat similar to that of the South African College. These papers pro-

duced their desired effect, and a strong and general excitement on the subject of education was the immediate result.

It was natural that in such circumstances I should watch the progress of public feeling, and the procedure of those who professed to consult the best interests of the public with extreme anxiety. Observing an advertisement, therefore, in the colonial newspapers, calling an early meeting of the remaining friends of the Free Grammar School, which it was now proposed to resuscitate, I waited on the Venerable the Archdeacon, (now Bishop Broughton) who had then but recently arrived from England, to ascertain whether he intended doing any thing in the way of forming an institution for the general education of youth in the colony, and to inform him, that, as a minister of the Church of Scotland, I should much more willingly join with the clergy of the Church of England in the formation of such an institution, if established on fair and liberal principles, than with the remaining friends of the Free Grammar School, as I neither approved of their principles, from all I knew of them, nor augured much from their past procedure. The Archdeacon told me in reply, that he did propose something of the kind, but that his plans were not sufficiently matured : he gave me to understand, however, that the public would not be called on to support the institution which he meant to establish, as the requisite funds would be supplied by the Government ; and that he himself would, in virtue of his office, be the authorized visitor, although clergymen and laymen of other communions



would be admitted to a share in its general management.

I was induced to augur very favourably of the Archdeacon's proposed institution in the first instance ; but, on conferring on the subject afterwards with certain Presbyterian friends in the colony, who also felt a deep interest in the cause of education, it appeared to us, that however plausible the scheme might appear at first sight, there was no reason whatever to believe that the institution which the Archdeacon proposed to establish would be one in which Presbyterians would be allowed to unite with Episcopalians on equal terms ; and that, on the other hand, although a Presbyterian minister might be allowed an ostensible share in the management, there was every reason to fear that that privilege would be of no practical utility as a counterpoise to the weight of the colonial Episcopacy ; while it was evident, moreover, that any concession which the Archdeacon might be disposed to make on behalf of other communions, could be revoked with the utmost facility by a less liberal successor.

With these impressions, I waited, but without stating my particular object, on the Colonial Secretary, to ascertain, if possible, the sentiments and intentions of the colonial government on the subject of education. I was accordingly informed by that officer, that it was proposed by the Home Government to break up the Church and School Corporation, in so far as that the management of the trust would in future be transferred to the colonial government ; but that all the lands and other revenues, of which the corporation had ob-

tained a grant by royal charter, would still be appropriated for the exclusive maintenance of Episcopalian churches and schools.

With this additional explanatory information, there was no room for hesitation in regard to the course which it was proper for Presbyterians to pursue, with reference to the Archdeacon's scheme. In fact, colonial Episcopacy had already done enough to curtail the privileges and to excite the jealousy of the colonial Presbyterians, to prevent the latter from falling in with any scheme whose obvious tendency was to increase and to perpetuate her exorbitant power, and to reduce themselves to the character of mere puppets in her train. The reader will judge, whether the suspicions, which were thus awakened on the part of the Presbyterians, were not well founded, when I inform him, that, on the publication of the Archdeacon's prospectus some time after, it actually appeared that the system of education in the schools he proposed to establish was to be thoroughly and exclusively Episcopalian.

In the mean time the Archdeacon had left Sydney to visit a distant part of the interior: it was consequently out of my power to have any farther communication with that gentleman on the subject of education at that particular crisis, or to apprise him of the feelings and intentions of my friends and myself; but as the meeting of the friends of the Free Grammar School was drawing on, it was necessary to do something in the matter immediately, to prevent the whole management of the education of the colony from falling into ineffi-

cient or exceptionable hands. I accordingly addressed a memorial to General Darling, who was then Governor of New South Wales; stating the circumstances in which my friends and myself felt ourselves placed, in regard to the subject of education; informing him, moreover, that it was our desire to form an Academical Institution of our own on a limited scale, to be conducted on the principles of the High Schools and Colleges of Scotland; soliciting an allotment of ground for the erection of the requisite buildings; and pledging myself, that, in the event of His Excellency's granting such an allotment, my own family would advance a thousand pounds towards the erection of the buildings. To this communication I received for answer, that no such allotment as I solicited would be granted, and that the Presbyterians had got enough from the Government already. In short, His Excellency's reply was cold as an iceberg; but such was his uniform style when Scots Presbyterians had any thing to ask from the priest-ridden Government of their adopted country.

Finding it thus impracticable to form a separate institution, I determined to make common cause with the friends of the Free Grammar School, provided the latter would extend and remodel their institution, agreeably to certain suggestions I took the liberty to propose. The plan of the institution was accordingly remodelled and extended, and I became a shareholder to the amount of £50, the designation being in the mean time changed into that of *The Sydney College*. The time of excitement, the reader is doubtless aware, is always the time for action: as soon therefore as I had become

connected with the new scheme, into which I entered on the same principles on which various non-conformist ministers of religion agreed to take a part in the University of London, I proposed and strongly recommended to the Committee of Management, that the plan adopted should be carried forthwith into effect—a measure which was quite practicable at the time. It is no part of the colonial system, however, to act, after merely resolving to do so. To pass a resolution at a public meeting, and to embody it in action, are two things so entirely different, that they can rarely be accomplished in any business in which direct personal advantage is not to be expected, during the same year. The iron must be allowed to cool before it is struck; and the time for striking, in by far the greater number of instances, is consequently spent before the hammer falls. The foundation-stone of the new institution—whose very existence, as well as its continued prosperity, depended on the keeping up of the strong excitement which had been created in the public mind on the subject of education—was laid with all due solemnity immediately after the meeting at which it was organized; but it was allowed to lie alone, like a solitary egg in a deserted nest, for eighteen months after; and I have every reason to believe, that if a decisive step, which I was consequently induced to take in the mean time, had not roused the dormant energies of its friends into something like exertion, it would have continued in the same lonely and inglorious state to the present day. In short, notwithstanding the formation of the new institution, there seemed just as little prospect as



ever of effecting any thing for the education of the colony; and Episcopacy seemed likely to realize her fond prediction, uttered in the dark days of Archdeacon Scott and the Corporation, "I shall sit as a queen, and see no sorrow."

Despairing, therefore, of the accomplishment of any thing of importance in the cause of general education through the new scheme, I could not help thinking it high time that the education of the colony should be rescued in some measure from the hands of exclusives and incapables. With this view, and in the hope also of obtaining a more extended provision for the dispensation of the ordinances of religion among the Scots Presbyterians of the territory, which it was in vain to hope for through the government of General Darling, I solicited and obtained leave of absence from His Excellency to proceed to England, and accordingly embarked at Sydney in August, 1830.

During my voyage to England, my attention was strongly directed to the subject of emigration to New South Wales, both as a means of alleviating the general distress which was then most extensively prevalent among the working classes in the mother country, and as a means of effecting a great moral reformation in the Australian colonies. On arriving in London, therefore, in the month of December following—the time when rick-burning and machine-breaking were at their height in the agricultural districts of England—I did myself the honour to submit the views I had formed on that subject of national interest, as well as on the means of establishing an academical institution for the education

of youth in the town of Sydney, to a Scotch Earl, to whom I had previously been well known, and to three influential members of the House of Commons, with whose acquaintance I had also been honoured. By these noblemen and gentlemen, I was strongly advised to submit the proposals I had to make on both subjects to the Right Honourable the Secretary of State for the Colonies—a step which I had not even contemplated beforehand.

I accordingly prepared the requisite documents, and called for certain letters of introduction to Lord Goderich, who was then Secretary of State for the Colonies, which I had been very kindly promised by the gentlemen I allude to. By some mischance, however, one of these gentlemen was seriously indisposed on the day I called at his house; another was engaged in parliamentary business of importance; and some accident of a similar kind prevented me from availing myself of the proffered kindness of the third. My business in England, however, required haste; for General Darling had allowed me only twelve months' leave of absence, and had intimated, that unless I returned to the colony within that period, my salary would be discontinued. As I could not, therefore, afford to lose a day, even to procure a letter of introduction to Lord Goderich, I went direct to Downing Street to introduce myself. On my way thither, the streets of London being at the time deeply covered with snow, I met my countryman and friend, the late Rev. Edward Irving, whose heart, I am happy to say, I always found in the right place, whatever the world chose to say of his understanding. I

briefly told him my destination and my errand, and "The Lord be with you!" was his brief and cordial reply. I could not help thinking it a good substitute for a letter of introduction, and I was not disappointed.

The tenor of my communication to Lord Goderich was "that the settlement of reputable persons of the class of mechanics in the colony of New South Wales was (for various reasons, which it is unnecessary to allude to more particularly) highly desirable; and that it appeared to me, that if reputable married mechanics from Scotland were conveyed to the colony on the condition of paying their passage-money by weekly instalments from their wages after their arrival, (which I felt confident many reputable persons of that class would both be able and willing to do,) the object might be accomplished without ultimate expense to any person, and with equal benefit to the mother country and the colony; for, although the frequent attempts of individuals to carry out persons of that class in the capacity of indented servants had almost uniformly failed, that result had arisen in great measure from the masters having given themselves no concern to ascertain the previous moral and religious character of their intended servants, and from their hiring them at a much lower rate of wages than they could otherwise have obtained in the colony—thereby creating a spirit of discontentment on the part of the servants, and holding out to them a strong temptation to break through their engagements."

To establish this point, which I conceived to be of paramount importance to the colony, I proposed to his

Lordship to carry out to the colony a certain number of families and individuals of the class and on the conditions above mentioned ; provided his Lordship would authorize the Governor of New South Wales to advance, on the arrival of the said families in the colony, a loan from the public treasury for the establishment of an academical institution or college in the town of Sydney ; the mechanics so conveyed to the colony to be employed in the erection of the buildings required for the said institution, and to repay the cost of their passage in the manner aforesaid. I did myself the honour at the same time to submit to his Lordship a plan of the proposed institution—the same as has since been realized in the Australian College.

In reply to this communication, his Lordship agreed to authorize the advance of £3500 for the establishment of an academical institution in Sydney on the plan proposed, provided *the promoters of the undertaking* should expend a similar amount for the same purpose ; the buildings to be erected on a piece of ground belonging to the Scots Church, and to be calculated for carrying on the institution on a limited scale, but to be capable of extension if it should be necessary.

In proposing this arrangement to His Majesty's Government, I considered myself pledged, on the part of the promoters of the undertaking, to meet the sum agreed to be advanced by Government with a similar amount on the part of the public. I conceived, indeed, that the colonial public would gladly come forward for the establishment of the proposed institution in the manner required : but I had already had too much ex-



perience in the colony to trust for the accomplishment of so important an object to such a contingency. I well knew that there were men of much influence in our colonial community, who would never give me credit for a disinterested concern for the public welfare; and who, probably conceiving that my humble exertions might reflect discredit on their own comparative supineness, would in all likelihood endeavour, by every means in their power—by imputing unworthy motives on the one hand, and by misrepresenting my procedure on the other—to divert the stream of popular favour from the infant institution, and thus to crush it in the bud. Foreseeing the possibility of such a result, although I did not by any means conceive it probable, I determined, in the event of its occurrence, to dispose of my own property in the colony, which I knew would sell for at least £3000, and to render every farthing of that amount available for the establishment of the institution, rather than allow the liberality of His Majesty's enlightened Government to be lost to the colony, through the apathy of some and the malevolence of others in our limited community.

After the arrangement above mentioned had been made with His Majesty's Government, Lord Goderich was also pleased to authorize the sum of £1500 of the proposed loan to the institution to be advanced on my arrival in New South Wales; provided I should convey to the colony a certain number of free-emigrant Scotch mechanics, with their wives and families, to erect the college-buildings, and to pay the stipulated amount of their passage by weekly instalments from their

wages; and provided, moreover, that no farther advance should be made by Government till an expenditure of £1500 should be incurred by *the promoters of the undertaking* in the erection of the requisite buildings; the remainder of the loan to be advanced afterwards, in proportion to the sums expended from time to time on the part of the public.

The proposed academical institution was to be established on the plan of the Belfast College—comprising a series of elementary schools with a gradually extending provision for the higher branches of education. At the outset, it was proposed that there should be a principal and four masters or professors—one for English, one for mercantile education, one for Latin and Greek, and one for mathematics and natural philosophy—assistant or under-masters to be appointed for the elementary classes, as soon as the funds of the institution and the wants of the colony should warrant that appointment. The Rev. Henry Carmichael, A.M. was accordingly engaged for the classical, the Rev. William Pinkerton for the English, and the Rev. John Anderson—all licentiates of the Church of Scotland\*—for the mercantile department; it having been previously arranged that the mathematical and physical department should be conducted by the Rev. John M'Garvie, A.M., formerly minister of the Scots Church, Portland Head.

\* It is no part of the constitution of the Australian College that the masters or professors should belong exclusively to the Church of Scotland: but Presbyterians are generally found to do literary and other clerical work at a cheaper rate than other people; and this is a consideration of importance in a young colony.

During my stay in England, I also procured books, with a view to the formation of a college-library, to the number of seventeen hundred volumes, together with a valuable and extensive philosophical apparatus, and numerous specimens of minerals, &c. to illustrate lectures on mineralogy and zoology. The gentlemen I have mentioned, together with two additional ministers of the Church of Scotland, for whom Lord Goderich had allowed salaries from the colonial revenue, for the districts of Bathurst and Hunter's River, embarked on board the *Stirling Castle*, at Greenock, along with the Scotch mechanics who had been engaged to erect the college-buildings, and their wives and children, on the first of June, 1831, and arrived at Sydney on the 13th of October following.

The college buildings were commenced on the 21st of October, and classes were opened, in a building hired for the purpose, on the 15th of November, 1831. In the mean time, the various arrangements already detailed, together with a plan of the institution, were submitted to the public, and the countenance and support of the friends of education throughout the colony respectfully solicited. In consequence of these publications, and of the private exertions of several friends of the undertaking, about a hundred shares of £25 each were speedily taken in the institution by gentlemen in Sydney and in other parts of the colony. It was not, however, till the 23rd of December following, and till an expenditure of upwards of £700 had been incurred for the erection of buildings, in addition to the amount for books, apparatus, &c. previously incurred

in England, that a general meeting of the friends of the undertaking was held, and a college-council appointed by the shareholders to undertake the management of the institution, agreeably to the arrangements I had made with His Majesty's Government, which were embodied in the following series of resolutions passed at the meeting :—

#### AUSTRALIAN COLLEGE.

A Meeting of the Shareholders of this Institution, and of other friends of education in Sydney and its vicinity, having been held this day, in Mr. Underwood's Buildings, Church Hill, pursuant to advertisement, Campbell Drummond Riddell, Esq., M.C., Colonial Treasurer, in the chair, the following Resolutions were unanimously adopted as the basis of the future constitution :—

I.—That an Academical Institution be formed in Sydney for the Education of Youth, in the higher as well as the Elementary Branches of Useful Knowledge.

II.—That the said Institution be designated "The Australian College," and be available for Pupils or Students of all religious denominations, on the most moderate terms.

III.—That a capital of at least £3500 be raised in shares of £25 each, payable by instalments, for the establishment of the said College; and that as the Right Honourable Lord Viscount Goderich, His Majesty's Principal Secretary of State for the Colonies, has been graciously pleased to grant a loan of £3500 from the Colonial Treasury, to assist in accomplishing so desirable an object, on condition that a similar amount shall previously be expended on the part of the public, the sum of £3500 shall accordingly be raised, and applied in erecting the requisite buildings, and in meeting the other expenditure already incurred, provided such expenditure shall be found conducive to the general object of the Institution.

IV.—That each shareholder be a proprietor of the College, and be



entitled to vote at all General Meetings of Proprietors, in the proportion of one vote for every share he may hold ; but that no proprietor shall have more than five such votes, whatever number of shares he may hold.

V.—That the government of the College shall be vested in a council of thirteen, twelve of whom to be annually chosen by the whole body of proprietors, and the thirteenth to be a member of such council in right of office, as hereinafter to be stated ; any proprietor being eligible as a member of council, and five members to constitute a quorum.

VI.—That the said council shall have the exclusive management and disposal of the funds of the College, and the entire control of all matters relative to the erection of buildings, the appointment of masters, the amount of salaries, the regulation of fees, and the purchase of property, books, or apparatus for the College ; and that the said College Council shall submit a statement of their accounts, and a report of their proceedings, previous to their laying down their office, at the annual meeting of the proprietors.

VII.—That the College shall, in the first instance, comprise the four following departments, viz.

1. An English Department, for English, and English Literature.
2. A Mercantile Department, for Writing, Arithmetic, Book-keeping, &c.
3. A Classical Department, for the Latin and Greek Languages,—and
4. A Mathematical and Physical Department, for Mathematics and Natural Philosophy : the establishment of the College to be gradually extended, according to the state of the funds and the wants of the colony ; but to include, from the outset, under one or other of these departments, provision for the instruction of pupils in the French, Italian, and German Languages.

VIII.—That each of these departments shall be entrusted to a separate master with the designation of Professor ; to each of whom a free house, capable of accommodating a few boarders, and a salary of £100 per annum, shall be given on the part of the College.

IX.—That moderate fees shall be paid by each pupil or student in the said College, varying in amount according to the classes he attends ; a certain portion of which shall be appropriated to the respective masters, independently of the salaries above mentioned ; the remainder to form a College fund, for the payment of salaries, the extinction of debt, &c., and for securing a dividend to the proprietors, under certain limitations to be fixed hereafter by the council.

X.—That there shall be a Principal of the said College, who shall also be

a professor, having the management of one or other of the departments of education comprised in the Institution, and being elected by the College Council; and that the said principal shall have the general superintendence of the internal affairs of the Institution, especially in regard to morals and discipline, making provision for the due observance of the rules of the College, and forming the medium of communication between the professors and the council, of which he shall be a member in right of office.

XI.—That the principal and professors shall constitute a senate for the regulation and management of all matters relative to the business of education, the enforcement of discipline, the division of labour, and the superintendence of the library and museum; and that the principal shall have a casting vote at all meetings of the senate.

XII.—That the senate shall meet once a month, the council once a quarter, and the general body of proprietors once a year; but that extraordinary meetings may be held on any occasion of emergency; viz. of the senate, on the requisition of the principal—of the council, on that of the chairman, or of any three members—and of the general body of proprietors, on that of ten proprietors.

XIII.—That the business of each day be commenced and closed with an appropriate prayer—that the Holy Scriptures be read regularly in the English classes—and that instruction in the general principles and duties of the Christian religion be afforded at stated times; as, for instance, every Saturday, at the close of the ordinary business of the week: but that no attempt be made, either directly or indirectly, to proselytize to the tenets of any particular denomination of Christians; and that those pupils or students, whose parents or guardians may object to their receiving religious instruction at all, be allowed at all such stated times to withdraw.

XIV.—That the Rev. John Dunmore Lang, D.D., be the principal of the said College, but without emolument, and without any active share in the business of education, until the completion of the arrangements into which he has entered with His Majesty's Government for the establishment of the said College; as also with certain Scotch mechanics, for the erection of the requisite buildings; and with certain parties in England, for the payment of books, apparatus, &c.; on the completion of which arrangements he shall surrender the said office into the hands of the council.

XV.—That the following Gentlemen be the Council of the Australian College till the next General Meeting:—

Campbell Drummond Riddell, Esq., M. C., Colonial Treasurer.

Richard Jones, Esq., M. C.

Alexander Berry, Esq., M. C.

Major Mitchell, Surveyor General.

Captain Perry, Deputy Surveyor General.

Thomas Walker, Esq.

Thomas Barker, Esq.

Robert Campbell, Jun., Esq. (Bligh Street.)

James Chisholm, Esq.

David Ramsay, Esq.

T. Burdekin, Esq.

Rev. Dr. Lang, *ex officio*.

XVI.—That John Wallace, Esq., be the Treasurer of the Australian College.

XVII.—That the thanks of the Meeting be given to C. D. Riddell, Esq. for his able, zealous, and judicious conduct in the chair.

Sydney, December 23, 1831.

In the mean time, that which neither common sense nor a sense of public duty had been able to accomplish, was at length effected through the operation of other feelings, which it is not difficult to divine; for, as soon as it was reported in the colony that I was about to return from England with an extensive literary, mechanical, and physical apparatus, for the establishment of a new institution, the foundations of the Sydney College were laid. The successful issue, however, of my voyage to England, and the successful establishment of the Australian College, were deemed by certain parties connected with that institution, whose public spirit had at length begun to revive after a second torpor of two years' continuance, offences of so peculiar an enormity, as to leave felony itself without benefit of clergy far in the shade. An emancipist who had just been liberated from the Sydney jail, where he had been confined for some time on a charge of fraudulent bankruptcy, harangued

a meeting of the friends of the revived institution, shortly after my return to the colony, and expressed himself in the highest terms relative to the plan and prospects of the Australian College; but informed the meeting, that I had completely forfeited the esteem of the *virtuous and respectable* portion of society, in having obtained assistance from the Home Government, as he presumed I had done, by calumniating himself and his friends to Lord Goderich. On this and a variety of other charges equally frivolous and equally unfounded, changes were rung at my particular expense, by various orators of still higher respectability, from meeting to meeting and from month to month; and every foul and slanderous invective that was uttered on these occasions was carefully reported in the colonial newspapers. Nay, private letters, which I had written to a countryman of my own in the colony, relative to the settlement of the Scots Church seven years before, were zealously placed in the hands of a gentleman connected with the resuscitated institution, that he might pick out of them and publish in the newspapers any paragraph or expression, which, he hoped, might create an unfavourable impression relative to myself on the public mind; and the contemptible suggestion was as contemptibly followed.

After having been subjected to this species of assault and battery, which was kept up for the express purpose of injuring the institution I had been instrumental in establishing, for more than twelve months, it struck me that it would not be improper to attend one of the meetings of the parties connected with the revived institution; to confront the persons who had so frequently



accused me ; to offer an explanation of those parts of my procedure in the matter of education which had repeatedly been held up to the public as extremely disreputable, and to answer any question they might think proper to ask ; as it did not appear to me that the cause of general education in the colony was likely to be advanced by the continuance of such procedure as I had so long and so undeservedly experienced. I attended accordingly, and I could not help perceiving that my appearance was regarded much in the same light as that of an apparition—so much easier is it to slander and to tell lies of a man behind his back than when he is present to answer for himself ;—but a young colonial lawyer, who was present, having very judiciously observed that “ the explanations I proposed to offer were not likely to benefit the institution whose concerns they had met to consider,” it was resolved that I should *not* have an opportunity of answering for myself. I was not troubled, however, with any farther vituperation, either in the newspapers or at public meetings ; but while I could not help feeling thankful at the time to Almighty God for having delivered my friends and myself from the people with whom we had for a short period been connected in the matter of education, I could not help feeling more strongly disposed, as I felt the necessity more urgent than ever, to make every sacrifice and every exertion that the education of the colony might be placed in other hands.

The procedure I have detailed could not fail to operate most unfavourably for the popularity of the insti-

tution with which I had the honour to be connected, and to increase the serious difficulties of the situation in which I was individually placed. It is so much easier to create an evil than a good impression respecting any person or cause; and there are so many people in the world ready to believe without examination whatever they hear, especially if it is of an unfavourable character, that whoever in such circumstances has nothing to lean upon but popular favour, will soon find that he leans upon a broken reed, which will pierce his hand. There was another fiery ordeal, however, of a much more formidable character to pass through, before the Australian College could be successfully established.

The cry of distress from the agricultural districts of the mother country was so loud and piercing on my arrival in England in December, 1830—and the impression on my own mind relative to the prosperity and abundance enjoyed by all classes in New South Wales was so fresh and vivid—that, in consequence of some remarks on the subject of emigration to the Australian colonies, which were made by my Lord Howick in the course of a conversation which I had the honour to hold with his Lordship in Downing Street, I took the liberty to address a letter to Lord Viscount Gode-rich, pointing out the means of conveying thousands of the distressed agricultural population of Great Britain, without expense to the mother country, to the colony of New South Wales; where, I was confident, their arrival would be hailed by all classes, and where there was employment in abundance, and bread for all. The sources, from which it was proposed to raise a revenue sufficient

for the accomplishment of this important national object were,—1st, the progressive sale of numerous allotments of building-ground belonging to Government in the town of Sydney; of which, although worth much more than double that amount now, I estimated the probable value at the time at not less than £200,000; and, 2nd, the resumption and sale of the lands granted on certain unfulfilled conditions to the Church and School Corporation of New South Wales. In describing the second of these sources of revenue, I had used the following language:—

“Your Lordship is doubtless aware, that in the year 1825 a Corporation was established by Royal Charter in the colony of New South Wales, to which a seventh of the whole territory was granted for the support of the Episcopal Church and Schools of the colony, on the avowed understanding that the said grant would immediately and for ever relieve the colonial government of the burden of supporting these establishments. Your Lordship is doubtless aware also, that that Institution has utterly failed of its intended object; the Corporation having actually borrowed from the colonial government at the rate of from £19,000 to £22,000 per annum for the support of the Episcopal Church and Schools of the territory, while the mere cost of its management, exclusive of the salaries of clergymen and schoolmasters, has hitherto been from £1500 to £2000 per annum—a sum considerably greater than is annually expended for the management of all the Church and School affairs of His Majesty’s ancient kingdom of Scotland.

“But the Church and School Corporation of New South Wales has been productive, my Lord, of still greater evils to the community at large, than any arising from the mere expense of its management. It has tended to identify the Episcopal clergy, in the estimation of the whole colony, with secular pursuits : it has given extreme dissatisfaction to many respectable emigrants, who have had to go far into the colonial wilderness with their families, in search of land to settle on, while numerous tracts of land, of the first quality, were lying utterly waste in the most accessible and eligible situations, in the hands of the Corporation : it has excited a spirit of disaffection towards His Majesty’s Government among the native youth of the colony ; and I will even add, my Lord, has sown the seeds of future rebellion. In short, the Church and School Corporation of New South Wales, instead of proving a benefit either to the Government or to the Episcopal Church, as its projectors unfortunately persuaded His Majesty’s Government it certainly would, has lain as a dead weight on the colony for the last five years—repressing emigration, discouraging improvement, secularizing the Episcopal clergy, and thereby lowering the standard of morals and religion throughout the territory.”

My letter to Lord Goderich was published on my return to the colony in a pamphlet, containing an “account of the steps taken in England with a view to the establishment of an academical institution or college in New South Wales, and to demonstrate the practicability of effecting an extensive emigration of the



industrious classes from the mother country to that colony ;” for it never occurred to me, that any remarks I had made in that letter, relative to the character and tendency of the Church and School Corporation scheme, were likely to be construed into a personal attack on the individuals who were accidentally, and, as I conceived, unfortunately connected with that system of legalized folly, extravagance, and injustice.

My letter, however, gave prodigious offence to the Venerable the Archdeacon,\* who accordingly addressed a long letter on the subject of its alleged misstatements—containing a feeble defence of the Corporation, and a series of intemperate charges against myself—to Colonel (now Sir Patrick) Lindesay, who was then Acting Governor of New South Wales, with a view to its immediate transmission to Lord Goderich. This letter was signed by the Archdeacon himself, and by my countrymen Mr. M’Leay, the Colonial Secretary, and Mr. Lithgow, the Auditor-General, as Commissioners of the Corporation ; the management of that institution having in the mean time been transferred to the Archdeacon and certain lay commissioners. It is the customary and established etiquette of the colonies to send a copy of any charges of this kind to the person against whom they are exhibited, in sufficient time to enable him to forward his explanation or reply to the Secretary of State for the Colonies by the same opportunity by which the letter of crimination is transmitted against him ; and the violation of that etiquette by a certain

\* Now Bishop Broughton.

military officer in the colony, during the government of General Darling, occasioned his being cashiered by the Commander-in-Chief, pursuant to the sentence of a court-martial. I was not favoured, however, with a copy of the Archdeacon's letter *till four days after the vessel in which it was transmitted to the Secretary of State for the Colonies had sailed for England*; and it so happened, that no other opportunity of writing home presented itself for about two months after. But my venerable brother was doubtless very angry, and perhaps thought he might well disregard the ordinary and established forms of justice, in his eagerness to procure the condemnation of an obnoxious Presbyterian minister.

In consequence of this proceeding, and agreeably to my own anticipations, the first vessel from England brought me a letter of censure from my Lord Goderich for the publication of my letter to His Lordship: but whether I ought to consider the censure of the Right Honourable Secretary, passed in such circumstances and procured by such means, at all discreditable to myself as a minister of religion, or whether there was any thing in the passage above cited from my letter to His Lordship, to call forth such censure at all,—the reader will doubtless determine for himself.

I wrote a reply to the Archdeacon's letter, which was forwarded to the Secretary of State by Major-General Sir Richard Bourke, to whom it was addressed, and who had arrived in the colony before the next vessel sailed for England. I shall take the liberty to subjoin the concluding paragraphs of that reply, relative to the

concluding paragraph of the Archdeacon's communication ; from which the reader will perhaps be able to estimate the spirit in which they were severally written :—

“ In the conclusion of their letter the Commissioners express themselves in the following manner relative to myself:—‘ Embarked in an undertaking in which he felt it impossible to succeed, without degrading the Established Church in his Lordship's estimation, he has preferred charges against the Corporation, in that loose style which bespeaks a man resolved at any rate to injure the object of his envy and dislike ; with the blind animosity of a political partisan, rather than with the scrupulous attention to truth and candour, becoming one who claims to bear a reverend and sacred character.’ In reference to this statement, I beg to inform Your Excellency, that the undertaking in which I had embarked on leaving the colony in August, 1830, and in which I had hazarded a voyage to England, and risked all the little property I possessed, was embarked in to supply the want of an academical institution in Sydney, to afford the youth of this colony a liberal, efficient, and economical education—a want, which had long been universally acknowledged throughout the colony, but which the Church and School Corporation, notwithstanding its vast resources and its superior facilities for the accomplishment of the object, had neglected to supply. Arriving in England with this object, I had scarce touched British ground, when my ears were stunned with the loud and heart-rending cry of distress from an unemployed and starving po-

pulation, maddened by their necessities to acts of violence and crime ; and on arriving in London, and ascertaining that His Majesty's Ministers were employed in devising ways and means for conveying a portion of that population to the waste lands of the Colonies, it immediately occurred to me, that in the colony of New South Wales there were sources of revenue directly available for that purpose to a very large amount in the Crown-allotments of Sydney, and the lands granted to the Church and School Corporation ; and that the raising of a revenue from these sources for such a purpose would prove a blessing of incalculably greater value to the colony, than was ever likely to result from the continuance of the Church and School Corporation. With these views was my letter to my Lord Goderich written ; and, in attestation of the fact, as well as of my own sincerity in the matter in question, I have only to refer Your Excellency to the circumstance of my having since conducted, at very great personal inconvenience and expense, an expedition of one hundred and forty free emigrants to this colony, solely with a view to demonstrate the practicability of effecting an extensive emigration of the industrious classes from the mother country to New South Wales without expense to either ; and from the successful issue of that expedition, and the calculations into which it necessarily led me, I am confident, that if the plan I had the honour to submit to my Lord Goderich were carried into effect, not fewer than twenty thousand and upwards of the poor and unemployed, but virtuous agricultural labourers of England, might, in the course



of a very few years, be conveyed with their wives and families to New South Wales, without expense either to the mother country or to this colony. And when Your Excellency considers of what materials the population of this colony has in great measure been formed for the last forty years, I can submit it to Your Excellency with entire confidence, whether the introduction of such a population, to amalgamate with the present inhabitants of the colony, and to people and improve the extensive tracts of highly eligible land which the Church and School Corporation has hitherto suffered to lie waste in all parts of the territory, is not a consummation incomparably more desirable than the existence and continuance of that institution.

“ In the passage above quoted, as well as in the whole course of their letter to the Acting Governor, the Commissioners have evidently fallen into the palpable error of identifying the character and efficiency of the Episcopal Church in this colony with the character and efficiency of the Corporation, and have therefore gratuitously accused me of cherishing a spirit of hostility towards the former, merely because I had recommended to the Right Honourable the Secretary of State for the Colonies the entire and immediate abolition of the latter. But while I broadly disclaim every feeling of hostility towards the Episcopal Church in this territory and towards any of its ministers, and maintain that there is no evidence of such a feeling in my letter to my Lord Goderich, I have no hesitation in repeating, what I asserted in that letter; that the Corporation has evinced

itself inefficient in its character, expensive in its management, and prejudicial in its tendency both to the Episcopal Church and to the colony at large.

“ In regard to the insinuation, that I ‘ felt it impossible to succeed in the accomplishment of my object, without degrading the Established Church of the colony in his Lordship’s estimation,’ I beg most explicitly to disavow every such feeling, every such intention. As I do not feel it requisite, however, to express my own sentiments in regard to the spirit which that insinuation itself evidently breathes, I beg leave to subscribe myself, &c. &c.”

In an ordinary affair of honour, I believe it is not allowable for the man who has been beaten by his adversary with the weapon of his own choice, to demand a different sort of weapon that he may have a second chance; much less is it allowable to shoot his adversary, when off his guard and unprovided with the means of defence, from behind a hedge or stone wall: but clerical affairs are not to be judged of by the laws of honour. *The end sanctifies the means*, is a maxim as old as the venerable Ignatius of Loyola. The benefit to be derived by the Church justifies the grossest injustice. Whether the Archdeacon deemed his written vindication of the Church and School Corporation unsuccessful in point of argument, I do not know; at all events, he deemed it requisite to have me publicly subjected to a different species of infliction, under which I should be utterly unable to avail myself of the noble art of defence. Accordingly, as a member of the Legislative Council of the colony, to whose deliberations no

strangers are admitted, he proposed, in the absence of the Governor and of certain other members, who, I have reason to believe, would not have sanctioned so anomalous a proceeding, that a vote of censure should be passed upon me for the statements in my letter to Lord Goderich relative to the Church and School Corporation, and the Episcopal clergy of the colony; and the vote was accordingly passed on the 15th of March, 1832, and published to the following effect in all the newspapers of the colony:—

“Resolved, That His Excellency the Governor be requested to communicate to the Right Honourable the Secretary of State the opinion of this Council, that the charges against the Protestant Episcopal clergy of the colony, contained in the letter addressed by Dr. Lang to Viscount Goderich, were unfounded and unwarrantable; and that the publication of the same was a highly improper and censurable act.”

It was doubtless unseemly in itself, as well as directly repugnant to the principles of English law, for the Archdeacon and the Colonial Secretary (for I believe the Auditor-General did not vote) to sit in judgment on my letter, or to express any opinion respecting it, as members of the Legislative Council, after having made themselves parties in the case to which it referred, by transmitting a formal complaint, on the subject of its alleged misstatements, to the Secretary of State. Besides, instead of specifying the particular statements in my letter which they held “unfounded and unwarrantable,” as it was incumbent upon them to have done, especially when the public expression of their opinion

was calculated to affect my reputation as a minister of religion, the Legislative Council merely passed a general and sweeping sentence of condemnation, the injustice of which was exactly proportioned to its vagueness and generality. But if the Legislative Council had really been desirous of ascertaining the truth in regard to the statements of my letter, they would have called for an explanation in the first instance, or for the production of evidence on the subject of these statements; but in condemning me unheard and without even the shadow of investigation, they left it to be inferred that their object was not the assertion of truth, but individual oppression. In short, the proceeding was in every respect anomalous and unjustifiable; and I cannot help expressing my opinion, that even supposing that the members of the Legislative Council had all been disinterested in the case, that the charge they had preferred against me had been direct and specific, and that they had been able to substantiate that charge by unexceptionable evidence,—it would still have been a gross violation of the liberties of the subject, for a mere legislative body to erect themselves into a Court of Inquisition, and to sit in judgment on the moral character and veracity of a private individual. If I had either been *a robber of churches or a blasphemer of their goddess*—the Church and School Corporation, whose *image*, I presume, *fell down from Jupiter*, along with that of *Diana of the Ephesians*—was the *law not open? were there not deputies or judges, before whom the matter might have been inquired into and determined in a lawful assembly?*

For the members of the Legislative Council of New



South Wales I entertain all that dutiful respect which a Christian man is bound to cherish for the rulers of his country, independently of their personal desert: but I should be giving these gentlemen a great deal too much credit, to suppose them at all capable of fixing a proper standard of clerical propriety and of clerical disinterestedness in a convict colony. When the ideas of the Archdeacon himself on that most important subject were so exceedingly confused, that he could not even perceive the impropriety of charging the public £30 for travelling expenses\* after receiving a salary of £2000 a year; what could be expected of a few sheep-farmers, a few Sydney merchants, and a few civil officers of the colonial government, transformed into legislators, but that they would argue in this style, “What is generally practised cannot be wrong?” The details I have already given in a previous chapter, will perhaps convince the reader that the statements in my letter to my Lord Goderich were neither *unfounded* nor *unwarrantable*.

As to whether a passage incidentally introduced in a letter, obviously written to promote the best interests of my adopted country, and to point out the means of relieving the mother country of a portion of her distressed population, was the only particular either in my conduct or writings that deserved the notice of the Legislative Council of New South Wales, I am not competent to decide. I feel confident, however, that my own humble efforts to promote the intellectual, the moral, and the spiritual welfare of that colony, will be

\* This item was actually inserted in the public accounts of the period.

estimated in a very different manner, when the members of its Legislative Council shall have ceased to vote, and the individual who now appeals from their censure, to be affected by their opinion.

The opinion of the Legislative Council, and the vote of censure to which it led, were no dead letter to me. At the time when the vote was passed, and published in all the newspapers of the colony, there were from fifty to a hundred reputable individuals, whom I had carried out from Scotland to the extremity of the earth, looking to me every Saturday evening for the wages of their labour, earned in the erection of buildings for the education of the long-neglected youth of the Australian colonies; while the weekly supply of funds for the carrying on of so extensive an undertaking depended entirely on my own personal credit and the favour of the public, both of which the vote of the Legislative Council tended almost completely to destroy. A friend of my own in the colony\* had endorsed bills of my acceptance to the amount of £1000, for the carrying on of the undertaking, till the funds of the institution could be rendered available for the purpose. Immediately after the passing of the vote of censure, I received a pressing requisition from my friend for tangible security, as my name alone was no longer deemed sufficient: I accordingly gave him a security on my dwelling-house, but caused the house to be advertised for sale forthwith. It was sold accordingly in a few weeks after, and realized, together with some build-

\* Thomas Barker, Esq., of Sydney.

ing-ground adjoining it, £2250. I had thus the satisfaction of very soon seeing my friend entirely out of danger. The house was situated on the summit of the ridge that separates the two beautiful coves or inlets of the harbour of Port Jackson, around which the town of Sydney is built : it commanded a view of the harbour as far as its noble entrance in front, and of the interesting lake-scenery in the upper part of it in the rear. I had laid my account to live and die in it ; but he who is called in the good providence of God to struggle with principalities and powers, on behalf of his fellow-men in the colonies, must learn to do violence to his own feelings on occasions of emergency, and even *to take joyfully the spoiling of his goods.*

There was other property in the town of Sydney, belonging partly to myself and partly to other members of my own family, to the amount of upwards of £2000, which was also brought to the hammer for a similar purpose in the course of the same protracted struggle : for as the number of mechanics necessarily employed at the College Buildings rendered a large expenditure absolutely necessary on the one hand, it was found on the other that no part of the public funds allotted by Lord Goderich for the carrying on of the undertaking could be procured for a whole twelvemonth after its commencement. The funds I allude to were to be advanced by instalments, provided that an equal amount should have been previously expended by the promoters of the undertaking ; security to be given to the Government on the College buildings for the ultimate

repayment of the advance at the expiration of five years. The buildings, however, were erected on ground belonging to the trustees of the Scots Church, and it was determined by the Crown lawyers of the colony that the latter could not give a security till they were empowered to do so by an Act of Council: but an Act of Council was not easily procurable; and, as it was necessary in the mean time to obtain funds from some quarter or other to carry on the work, the trustees of the Scots Church offered personal security for the due execution of the mortgage, as soon as its execution should be practicable. The Legislative Council, however, being constituted judges in regard to the sufficiency of the security, would not be satisfied with any thing *but the bond*. The bond was at length prepared by a private solicitor, and cost twelve guineas; but as His Majesty's Attorney-General, John Kinshela, Esq.\* refused to examine it on behalf of the Legislative Council, of which he was a member, unless I sent him a fee, I sent him five pounds. I regret exceedingly that the sum was so small, (although it was more than I could well afford at the time;) for the honourable gentleman's salary, as a Crown lawyer, was only £1200 a year.

It will not excite any surprise on the part of the reader, that even the gentlemen chosen to manage the Australian College, and the shareholders in general, should have been somewhat influenced by the strange and anomalous proceeding of the Legislative Council,

\* Now one of the puisne judges of the colony.



or rather by the state of feeling in certain influential quarters, in which that proceeding had originated. To be placed under the ban of the colony—to be publicly stigmatized by the highest authority in the country as a setter-forth of *unfounded and unwarrantable statements*, or, in plain English, as *a liar*, was but a sorry recommendation for any person so completely identified with the establishment and progress of an Academical Institution as I had then the honour to be. Accordingly, certain of the gentlemen connected with the management of the College became very cool on the subject, and certain of the shareholders invented a variety of excuses to obviate the payment of their subscriptions. The College Council finding, therefore, that they could not easily meet the full amount of the sum to be advanced by the Government, resolved to discontinue the buildings when only half the extent originally agreed on had been erected, to get rid of the mechanics before they had fulfilled their engagement, to reduce the institution to one half the extent originally proposed, and to accept only of such part of the amount to be contributed by the Government as might equal the exact amount of the subscriptions realized. This, however, was a state of things of which I had foreseen the possible occurrence from the very first, and for which I had accordingly provided a *dernière ressource* in the sale of my own property: I therefore felt myself called on to give the gentlemen I refer to distinctly to understand, that unless the plan originally sanctioned by Lord Goderich were strictly adhered to, and the buildings carried on to the extent originally agreed on, and the

mechanics retained for the erection of these buildings in pursuance of their original agreement, the trustees of the Scots Church, on whose behalf I was authorized to act in the case, would by no means give up their right to the ground on which the buildings were erecting, and which they had previously agreed to surrender, on the understanding and condition that the plan above mentioned should be carried into full effect. In short, as every attempt to subvert the institution from without had completely failed, it was not difficult to perceive that there was influence employed somewhere to reduce it to a state of comparative inefficiency and insignificance; and in such circumstances, it was evidently my duty to counteract that influence by every available means. Nay, at a meeting which was held during my own absence in the discharge of clerical duty in the interior, certain of the other gentlemen connected with the management of the College were actually told, on good authority, that the Archdeacon would have no objection to unite with all of them, but would have nothing to do with Dr. Lang; or, in other words, provided I could have been got rid of, the Archdeacon would not have been unwilling to place himself at the head of an institution which I had sacrificed all my property and risked my life to establish. If this should be considered rather an equivocal mark of brotherly kindness, it was at least a satisfactory evidence of the respectable character of our infant institution.

To carry on the undertaking in the midst of so much discouragement and so much opposition, both open and concealed, was no easy task. It almost drove me to my

wits' end ; and the effort to conceal the violent and distressing emotions, with which I was inwardly agitated for months together, was almost too great for a naturally strong constitution to undergo.\* But to use the language of the Christian Father, whose words I have prefixed as a motto to this chapter, "The work was great and arduous, but God vouchsafed assistance." That assistance was sometimes supplied from quarters from which I could never have expected it ; and on several occasions, after experiencing a degree of coldness amounting almost to insult from individuals of the wealthier classes of society in the colony, I received unsolicited assistance, accompanied with the warmest expressions of friendly encouragement, from persons in the humbler walks of life, both free emigrants and emancipists.

The founding of an academical institution for the education of youth, in a colony so singularly constituted as that of New South Wales, was an object of too much importance to the community at large, to suppose that it could possibly have been accomplished by the parties connected with the establishment of the

\* During the progress of the undertaking, I happened one day to light upon a passage in *The Scots Worthies*, which appeared to indicate a state of things somewhat similar to the one I had myself experienced. It occurs in the life of the eminently pious and learned Samuel Rutherford, and relates to his connexion with the establishment of a Divinity College at St. Andrew's, in the seventeenth century ; in which, it seems, he had not only taken an active part, but experienced much difficulty and opposition. "This New College," says Mr. Rutherford repeatedly in the passage I refer to, "will break my heart." The coincidence of circumstances, in situations so very different and so very remote from each other, struck me very forcibly at the moment.

Australian College, without giving offence in some quarter or other: but the success which has already attended the institution, notwithstanding every discouragement, amply compensates for this temporary evil, while it affords to myself at least no small consolation under all the difficulties that have hitherto been experienced in effecting its establishment. Although these difficulties were unexpected, in as far as regarded the particular form they assumed, I was neither unprepared for the occurrence of great difficulties in the undertaking, nor disposed to regard them with despondency. Having been engaged in a somewhat similar struggle for the settlement of the Scots Church in Sydney, shortly after my first arrival in the colony, I was led, from the experience I obtained of the general procedure of the Providence of God in the course and from the issue of that struggle, to record the following sentiment in a pamphlet published at the time in the colony; and I have since had no reason to alter my opinion:—"In any undertaking in which I may be engaged in future for the glory of God or the benefit of man, I shall esteem opposition and discouragement in the outset as the best earnest of prosperity in the end; *for he that goeth forth and weepeth, bearing precious seed, shall doubtless come again with rejoicing, bringing his sheaves with him.*"

The portion of the Australian College Buildings now erected contains a commodious residence for each of the four head-masters or professors of the institution, with highly suitable accommodation for not fewer than from eighty to a hundred boarders; one principal object of the establishment of the college being to afford



education at a cheap rate to youth from the interior of the colony or from India. The education of a youth attending the classical and elementary classes costs £12 a year: boarding in the family of one of the head-masters or professors costs £30 additional. On my arrival in the colony in the year 1823, the education of a boy reading Latin, in a school taught by a single master, cost, exclusive of board, £20 a year.

Hitherto the Australian College has necessarily been rather a series of elementary and classical schools than a college properly so called. It was proposed, however, from the first, that it should occupy a higher or collegiate position as soon as possible; affording to colonial youth of a more advanced standing similar educational advantages to those afforded in the mathematical, philosophical, and natural history classes of the universities of Scotland; and I am happy to add, that the change recently effected in the ecclesiastical state of the colony, combined with the provision guaranteed for the establishment of superior schools for elementary instruction, as well as of schools of a higher or intermediate character, will render this arrangement both practicable and necessary at a much earlier period than was at first anticipated. The training up of a native ministry for the Australian colonies is undoubtedly an object of transcendent importance to their moral welfare and progressive advancement; and it is therefore peculiarly gratifying to know, that there is machinery enough on the spot, and already in actual operation, to effect that important object. As a fourth professor, to complete the primary educational establishment of

the Australian College, is at present on the eve of embarking for New South Wales, it is probable that the following will henceforth be the distribution and employment of the available force of the Institution, exclusive of assistant masters for the inferior branches ; viz.

Latin and Greek, Rev. Thomas Aitken, A.M.

Mathematics and Natural Philosophy, Rev. David Mackenzie, A.M.

Natural History, in all its branches, Rev. J. Gowans.

Logic and Moral Philosophy, Rev. Robert Wylde, A.M.

An educational establishment of this extent will enable the Australian College to afford the native candidate for the ministry in New South Wales, a course of preparatory education somewhat similar to the one prescribed for candidates for the ministry in the Church of Scotland, previous to the commencement of their theological course. There is reason to believe, moreover, that there will be ample means of establishing a course of theological education, before the first series of students in the Institution shall have completed their preparatory curriculum. A moderate endowment from the colonial government for each of the four professorships of the Institution would doubtless facilitate these arrangements ; but this is by no means absolutely necessary ; for, as the colonial government are at present strongly opposed to the endowment of academical institutions in the colony, I have reason to believe that the colonial public will cheerfully contribute whatever funds may be requisite for the accomplishment of an object of so much real importance to their own welfare

and advancement. At all events, there will be no want of candidates for the ministry under the new system, either in New South Wales or in Van Dieman's Land; and as I am confident that the flower of our colonial youth will easily be induced to offer themselves for that holy office in their native land, there will obviously be less and less reason every succeeding year for depending on second-rate men from the mother country; for such, I have been repeatedly told, since my return to Europe, is the only sort of clerical men we can reasonably look for in future, whether from the church of England or the church of Scotland, to occupy the pulpits of Australia.

There is another object of importance, to which it was conceived the establishment of the Australian College might be rendered subservient—I mean the Christianization and civilization of the numerous isles of the Pacific. The intercourse of the colony with these islands is becoming more frequent, and, of consequence, more influential either for good or for evil, every day. At the same time, there is an interesting European population arising in these islands, in the children of missionaries; who, according to the early training they shall receive, will be powerfully influential either in extending the language, the laws, the civilization, and the Protestant religion of Britain over the multitude of the isles, or in augmenting the darkness and the immorality of their heathen inhabitants. Having been informed by several of these missionaries, who occasionally visit the colony, that the children of Europeans were exposed to manifold temptations in the South Sea Islands, and were in danger, moreover,

of contracting those lethargic habits that are universally prevalent among semi-barbarians, it occurred to me, that if the most promising of the sons of European missionaries at the islands could be educated in New South Wales under the superintendence of able and Christian men, their knowledge of the language, and their constitutional adaptation to the climate of Polynesia, would render them peculiarly fit to be afterwards sent forth as missionaries to those numerous and populous isles that have never yet been visited by Europeans, and whose groves of palm-trees have never been lighted up by the torch of knowledge, nor gladdened by the sound of the Gospel. With this idea I wrote to the missionaries at Tahiti, (Otaheite,) shortly after my return to the colony in the year 1826, offering to educate any promising youth they might send up to New South Wales by way of experiment. The son of a Scotch missionary from the London Missionary Society, who had been born in the town of Sydney, but spoke the Polynesian language as fluently as the English, was accordingly sent up to the colony towards the close of the year; and, in a period of time unusually short, acquired, by lessons which I could only afford to give him at irregular intervals, a sufficient knowledge of the Latin and Greek languages, to enable him to translate the Greek Gospels into good Latin at the opening of the book. The young man lived four or five years in my family; but preferring at length to return to the islands, he did so in the year 1832, and has since been ordained as a missionary for the Samoa or Navi-



gators' Islands. The experiment consequently proved successful ; and it plainly showed how much might easily be accomplished for *the multitude of the isles* of Polynesia, as well as for the main-land of Australia, by means of a sufficient and well-directed educational force permanently established in the Australian College.

It was the hope of rendering that institution as efficient as possible in the various respects I have thus enumerated, as well as of procuring a number of additional ministers and schoolmasters for the Presbyterian Church in the Australian colonies, that induced me to double Cape Horn and to circumnavigate the globe for the fourth time : and if I have occupied too much of the reader's time in detailing the origin and history of an institution with which I have hitherto been in great measure identified, I trust I shall stand excused, when it is borne in mind, that the Australian College promises at no distant period to be the first and the most influential institution for the education of youth in the Southern Hemisphere.

The only other public educational institutions in the colony are the King's School at Parramatta, founded by the present bishop, when archdeacon of New South Wales, and the Sydney College. All the three institutions are at present unquestionably under able and efficient management, and consequently in a highly prosperous and flourishing condition ; the number of pupils or students in each varying from eighty to considerably upwards of a hundred. The Australian College, however, is the only one of the three which pro-

mises to afford a regular course of academical education, the other two being intended only to serve the purpose of grammar-schools.

On my arrival in New South Wales for the fourth time, towards the close of the year 1834, it was somehow the general impression in the colony, that it was the intention of the local government to establish the Irish national system of education throughout the territory, and to withdraw all grants of public money from whatever primary or elementary schools should not be remodelled on that system. With the exception of three or four Roman Catholic schools, the endowed elementary schools of the colony were at that time exclusively Episcopalian—professedly conducted on the Madras system, but generally of inferior character, and extremely inefficient. That a change of system was loudly called for, was universally acknowledged; but in regard to the nature of that change, there was considerable difference of opinion. The colonial government, as I have already observed, the Roman Catholics of the colony, the colonial liberals, and the colonial press, were all strongly in favour of the exclusive establishment of *the Irish system*, as it was then generally styled in the colony, as the only educational system that should thenceforth be supported from the public treasury: and as the Rev. H. Carmichael, A.M. (whom I had carried out to the colony for the classical department of the Australian College in the year 1831, partly on the recommendation of the Rev. Dr. Chalmers, and on whom, with his two assistants, the duties of that institution had entirely devolved during my own absence in Eng-

land, through the death of one of his coadjutors, and the translation of another to a clerical charge in Van Dieman's Land,) joined this powerful phalanx, and actually resigned his charge in the Australian College, to be in readiness for the Secretaryship of the future Colonial Board of Education, there seemed for some time to be no doubt whatever of the exclusive establishment of the Irish system in New South Wales; the slightest murmur of disapprobation, the slightest demonstration of a desire to have the Holy Scriptures of the authorized version, without note or comment, used in the public schools of the colony, being instantly put down with the hue and cry of sectarianism and intolerance. In this critical conjuncture, the journal to which I have already repeatedly alluded was established in the colony; and as the Rev. Mr. Carmichael, to whom I had previously looked as its future editor, had precluded the possibility of any such arrangement by his own procedure—in deserting our infant institution, on the one hand, after his connexion with it for three years had raised him to a state of respectability and influence in the country; and in advocating the Irish system, on the other—its editorial management devolved entirely on myself. Its first efforts were directed against the powerful combination I have described, in a series of articles on general education, in which the principle of the Irish system was combated week after week, not only on the ground usually taken by its Protestant opponents in this country, but on ground peculiar to the colony.

It was argued, for instance, that even taking it for

granted that the Irish national system of education was the only system practicable in the present circumstances of unhappy and long misgoverned Ireland, the circumstances of the colony of New South Wales were altogether different; for whereas the Roman Catholics were as  $4\frac{1}{2}$  to 1, as compared with the Protestants of Ireland; the Protestants were as 3 to 1, as compared with the Roman Catholics of New South Wales; and it was consequently shown to be preposterous to subject a colonial population, comprising so large a majority of Protestants, to a system which could only be defended as a measure of political necessity,—a measure of conciliation towards an overwhelming majority of Roman Catholics in Roman Catholic Ireland.

It was also argued, that the plea of “justice to the Roman Catholics,” which was urged with some propriety in Ireland by the advocates of the Irish national system in Great Britain, could not be urged at all in New South Wales; the Roman Catholics of that colony having already a grant from the public treasury for the education of their own youth in schools of their own—a grant, which the Protestants were not unwilling to have increased, provided it could be shown to be inadequate to the object in view. It was added, moreover, that the systematic attempts of avowed Roman Catholics to force the Irish system upon the colony *in such circumstances*, could only be regarded as a measure of proselytism on their part, equally offensive and intolerable.

Besides, it was urged with immediate effect, that New South Wales was a British and not an Irish co-



lony, and was therefore not to be subjected to a system of education which would immediately be rejected with indignation by the people of England and Scotland, and which was fit only for the people of Ireland.

The arrangement recommended in the journal in question was that a board of education should be constituted by the Government, consisting of ministers of religion, and laymen of all the leading communions of the colony; and that that Board should annually ascertain the numbers and wants of each communion respectively, and apportion the educational funds of the colony accordingly, under the sanction of the Governor and Council. Under such a system it was ascertained that there would only be three classes of schools required in the colony, viz., Episcopalian, Presbyterian, and Roman Catholic; the Wesleyan Methodists uniting with the Episcopalians, and the Independents and Baptists with the Presbyterians: and it was shown in conclusion, that in a colony comprising so many communions, the Irish system, which professed to please everybody, was a Utopian scheme, and would eventually please nobody; and that whereas the colonial advocates of that system were perpetually exclaiming against *intolerance and sectarianism*, they were themselves the only *intolerant sectarians* in the colony, in attempting to force the system of their own little sect on a population of which the great majority were determined to have none of it.

These arguments and representations were in the mean time but feebly opposed by the Roman Catholic and latitudinarian journals of the colony,—the ‘Sydney

Gazette,' the 'Australian,' and the 'Monitor,'—the 'Sydney Herald' being prudently silent on the subject till it found public opinion fairly formed. In defect of argument, however, ridicule, which it must be acknowledged is sometimes the test of truth, was attempted again and again to be thrown upon myself individually, and on all who opposed the exclusive establishment of the Irish system: but this powerful weapon was easily wrenched out of the hands of men who were unable to wield it, and turned against themselves and their system with the happiest effect: the following *jeu d'esprit*, which was published in the ninth number of the 'Colonist,' the journal to which I have repeatedly referred, having done more to settle the question of the Irish system in the public mind, than a whole series of arguments.

### THE IRISH STEW.

I sing of good eating! There once befel  
A notable feast at a Sydney hotel!  
There was plenty for me, and plenty for you;  
But the pride of the *Board* was an Irish stew.

Who it was that got up the feast,  
Is of *many* important things the *least*;  
For a feast there was, and that is most true,  
And the principal dish was an Irish stew.

There were guests of every rank and station,  
Of every possible creed and nation;  
Mahometan, Christian, Pagan and Jew;  
But the only dish was an Irish stew!

An Irish Roman Catholic priest  
Got up in his place and bless'd the feast,  
And then help'd himself, as he well could do,  
To a trencher-full of the Irish stew.

He dived right into it all in a minute,  
And show'd there was never a Bible in it.  
“ For what,” said he, “ had the Bible to do  
Either inside or outside an Irish stew ?”

There was music too, both loud and shrill,  
To cheer up those who were eating their fill ;  
And some, it is said, took mountain-dew  
In plentiful draughts with their Irish stew.

Monitor H—ll was the principal chanter ;  
He sat, like the De'il in Tam O'Shanter,  
With a pair of Scotch bagpipes, and sung while he blew,  
“ O there 's no dish at all like an Irish stew.”\*

For eight long years he had sung like a starling,  
“ O what a tyrant was General Darling !”  
But alas ! that good old tune 's replaced with a new,  
Since he 's taken to play up “ The Irish stew.”

Meanwhile a poor Editor, Richard Roe,  
And his equally brainless friend, John Doe,  
Stood up on their feet, as they used to do,  
And began—“ *The aforesaid Irish Stew—*”

But their eloquence suffer'd a sad eclipse ;  
For the Judges speedily seal'd their lips

\* Mr. Edward Smith Hall, editor of the ‘ Sydney Monitor,’ a *liberal* or latitudinarian paper, was an unqualified admirer of the Irish system, and incessant in its praise.

And turn'd them out ! So all they could do  
Was to beg for some more of the Irish stew.\*

And other Editors too might be seen  
With their tickets of leave and their shamrocks green.  
They may thank English juries ('twixt me and you)  
For their own tid-bits of the Irish stew.†

But many, 'tis said, turn'd sick to see  
So uncommonly little variety ;  
While Scotch and English parsons too  
Said they never would dine on Irish stew.

“ A haggis for me ! ” cried one reverend brother ;  
“ Roast-beef and plum-pudding ! ” exclaim'd another.  
But so it was, that amazingly few  
Were found to relish the Irish stew.

Then the head of the N——l I———n,  
A hero of tact and elocution,  
Got up on a stool (as he needed to do),  
To be seen when extolling the Irish stew.‡

\* ‘The Australian’ newspaper was, at the time in question, under the editorial management of two colonial solicitors, who were by no means remarkable either for the profundity of their thoughts or the force of their diction. The circumstance alluded to in the rhyme was one which had made a great noise in the colony, and was designated at the time the *Division of the Bar* ; being a measure of the Supreme Court, precluding solicitors from practising in future as barristers, as they had previously been permitted to do.

† The ‘Sydney Gazette’ was at the period in question under the joint editorial management of Mr. Edward O’Shaughnessy, an emancipated convict from the green isle ; and Mr. William Watt, a Scotch convict, actually under an unexpired sentence of transportation, and merely holding a ticket of leave.

‡ On leaving the Australian College, the Rev. Mr. Carmichael had established a private school in the town of Sydney, which he dig-



“ There are some,” he said, “ who turn up their nose  
At the richest and daintiest dish that goes ;  
But show me the puny sectarian who  
Has a stomach that nauseates Irish stew !

nified with the name of the Normal Institution. The character of this establishment may be guessed at from the following advertisement :—

### “ NORMAL INSTITUTION,

Under the superintendence of the REV. HENRY CARMICHAEL, A.M.

“ This Institution has been formed with the view of laying the foundation of a *National System of Education* in New South Wales.

“ The classes are open to the children of all denominations of *religionists* ; for, whilst the communication of religious knowledge forms part of the course of instruction, *the inculcation of any given set of religious opinions*, as matter of faith, is distinctly disclaimed. The object aimed at is to enable the pupil, at as early a period as possible, to undertake the task of educating himself ; and thus becoming, *on religious as well as all other topics*, the framer of his own opinions.”

The man who can talk at this rate, and especially in a convict-colony, may well save himself the trouble of *inculcating any given set of religious opinions*, as the probability is, that he has none that are really worth inculcating.

The following extract from a pamphlet, otherwise unexceptionable, published by Mr. Carmichael, under the title of ‘ *Hints to Emigrants*,’ discovers still more clearly the peculiar views of that gentleman on the subject of education :—

“ Under the present circumstances of the colony, there is ample room and inducement for the labour of inferior men as schoolmasters : and certainly, better is it to have inferior labour in this department of exertion, than an utter destitution of the means of elementary instruction. Yet the matter is of such manifest importance, and the consequences so obviously beneficial, of having established in the territory an effective system of education ; that the time may not be esteemed far distant, when there shall be a properly and effectively endowed and chartered establishment—independent on the control of clerical umpireship, and clear of the meddling of party spirit and sectarian influence,—which shall have authority, and possess capabilities, for spreading

“ For, upon my honour, this excellent dish  
Has the nature of herb, fowl, flesh, and fish.  
It suits all palates. Pray, try it, sir, do ;  
And you ’ll soon ask for more of the Irish stew.

“ There ’s English, French, Latin, and Mathematics,  
Jurisprudence and Aërostatics ;  
There ’s cod-fish, and *plaice and celery* too,  
Combined in this excellent Irish stew !

“ ‘ But as for religion,’ you say : what then ?  
Does every gentleman relish cayenne ?  
To season for one might poison two ;  
So we shan’t season at all our Irish stew.

“ But we ’ll have a spice-bottle at hand on a shelf,  
That each may season it for himself.\*

throughout the territory the blessings and benefits of systematic education.

“ Until the state shall have made a separate and ample provision for the furtherance of secular education, *altogether distinct from religious*, the exertions of the schoolmaster, properly so called, will be comparatively powerless ; as the influence of the clergy of all denominations will of course be plied to disparage his labours and bring his character into disrepute. The common interests of the race however may well be expected, ere long, to prevail over the ambition and *esprit-de-corps* of so deeply interested a class of men.”

When such sentiments were cherished and avowed by the Rev. Mr. Carmichael, (himself a licentiate of the church of Scotland, and consequently at one time an avowed subscriber of the Confession of Faith, the doctrinal standard of that church) it will not be supposed that the desertion of that gentleman could prove either a serious or a protracted calamity to the Australian College, whatever might have been its intention. As one of its public instructors of youth, his place has been long since ably occupied ; and considering the Institution in the important character of a nursery for at least one branch of the colonial church, the entire discontinuance of his connexion with it was “ a consummation devoutly to be wish’d.”

\* On opening his new school, Mr. Carmichael published a sort of

Neither Pagan, Christian, Turk or Jew,  
Shall ever season *my* Irish stew."

But it seems he had bolted full more than enough  
Even of that super-excellent stuff:  
For he stopp'd, turn'd pale, and began to sp——;  
So here ends Course the First of the Irish Stew.

The agitation of this important question in the way I have described, during the early part of the year 1835, undoubtedly prevented the exclusive establishment of the Irish system by the Legislative Council of New South Wales for that year. This delay was of the utmost importance to the colony; for before the next meeting of the Council, in the year 1836, Lord Glenelg's famous dispatch already referred to,—authorizing the establishment of a general system of education on the Irish system, if it should be found agreeable to the wishes of the colonists, but directing grants to be issued from the public treasury for the establishment of schools of their own, for those bodies or communions that should prefer such an arrangement,—arrived in the colony. At their meeting in the month of July, 1836, the Legislative Council accordingly voted a specific sum (£3000) for the establishment of certain schools in the colony on the Irish system, but recognised and established the important

manifesto, declaratory of his views and intentions, in the colonial papers; and in reference to the subject of *religious instruction*, after repeating his own precious nonsense about religious knowledge as distinct from religious opinions, he threw out the astounding declaration, as a bait I presume to colonial liberalism, that he would have the Bible in his school "as a book of reference," but of course as nothing more. But the respectable colonists were happily not to be practised upon by so peculiarly awkward a manœuvre.

principle, that primary schools on a system more accordant with the views and feelings of Protestants generally should be endowed by the Government to an extent equal to the contributions of their respective supporters. This important principle being thus established, it appeared to me that the proper course, for the body with which I was more immediately connected, to pursue, was to turn it to immediate account, and to leave to others the task of amending the law, and of thereby getting rid of the Irish system. Fourteen Presbyterian schoolmasters, selected at my request since my return to England by the Glasgow Educational Society, and for whom I am happy to add that His Majesty's truly liberal and enlightened Government have beneficently guaranteed a free passage out, are accordingly at this moment on the eve of embarkation from Scotland for New South Wales and Van Dieman's Land, with a view to the establishment of schools on the most improved plan at present in operation in the mother country, under the auspices of the Presbyterian Church in these colonies. The recently-created Bishop of Australia had arrived in New South Wales about two months before I left the colony in the end of July, 1836, and had immediately commenced a system of agitation, by means of petitions and public meetings, in co-operation with members of all the other Protestant communions of the colony, with a view to have the new law, establishing the Irish system, repealed ; and by the last accounts from the colony it appears that this agitation had been continued up to the close of the year. But there is a time for action as well as for agitation ; and I am decidedly of opinion,



that the best means of preventing the Irish system from obtaining extensive footing in the colony, is to pre-occupy the ground, which may now be done under the sanction of the Government itself, with efficient schools of a different kind.

It would be equally difficult and injudicious to attempt to characterize a race who have hitherto enjoyed so few advantages as the youth of Australia. In bodily appearance they are tall and slender, less adapted to make strenuous exertions than to sustain fatigue and privation. As to their mental qualities, it would perhaps be unfair to judge of the many by a few ; but the specimens of native intellect, with which I have come in contact, have evinced for the most part more surface than depth, more sound than metal. The Australian intellect comes to maturity earlier than the British ; but the first ripe fruit is not always the best. I have known instances of boys in the colony making much greater progress, in the acquisition of the languages for instance, in a given time, than I have witnessed in Scotland ; but the Scotch boy compared with the Australian is like a steady-going draught-horse compared with a hopping kangaroo. Application, indeed, is not the *forte* of the Australian youth, and he is apt rather to be cast down at the sight of difficulties than roused to exertion. On the other hand, he is giddy and frivolous, impatient of restraint, and apt to fancy himself of much more importance in society than he really is. These faults, however, are traceable in great measure to the very defective training which the great majority of the youth of the colony have hitherto

received under the parental roof ; for it cannot be denied, and I am most happy to bear testimony to the fact, that they are a highly interesting and a highly improvable race.

There is one trait in their character, however, which is almost uniformly regarded as a virtue, and as the result of a certain innate nobleness of mind, but which I would set down decidedly as a vice, and as merely the result of the by-past condition of their native country as a convict or white-slave colony. The trait I allude to is a blustering and rather offensive affectation of liberty and independence, somewhat similar to the usual demonstrations of the same feeling among the lower classes of Americans. It arises in no respect from a due sense of the rights, or from a consciousness of the character of freemen ; but solely from a preposterous comparison of their own unmanacled condition, with the chains and fetters of the convict or enslaved portion of the population. A female convict, who has served out her time, and obtained a certificate of freedom, and got drunk on the strength of it, is perhaps apprehended by a constable, who is probably not aware of the important fact, in order to be conveyed to the watch-house ; but Madame nobly sets the myrmidons of the police at defiance by producing her certificate signed and countersigned as the law directs, and shouting as loudly as she can, “ I am—a free—woman—huzza ! ”\* It is quite in the order of things for this

\* ————— Cui potenter erit res,

Nec facundia deseret hanc, nec lucidus ordo.—Hor.

“ She who has taken a copious libation of colonial gin, will neither want eloquence nor distinct arrangement.”

hopeful free subject, on afterwards rearing a family of little Australians, to imbue their minds with somewhat of her own *pride of place*, and to lead them, unconsciously perhaps, to assume no small credit in their own estimation, merely for not being liable, forsooth, to the vassalage, and restraint, and degradation of convicts. It is easy to perceive how such a feeling will operate in rendering the colonial youth impatient, even at an early period, of parental restraint, and subsequently lead them to an assumption of superiority when there is nothing to support it, or to a boisterous assertion of rights which nobody ever thinks of calling in question. Nay, it is not difficult to conceive how such a feeling—originating in the lowest classes of society—may operate far beyond the circle from which it emanated, and display itself in quarters where it would not be suspected. It has even given birth to a school of oratory in the colony—the *bouncing* \* school, it may be styled—which has both wit and talent to support its blustering and brow-beating pretensions.† For my own part, with certain limitations, I would not object to the sentiment of the poet,

Thy spirit, Independence, let me share,  
Lord of the lion-heart and eagle-eye;

but I confess I have never found that spirit conjoined with forwardness or effrontery. It is most frequently the mild aspect and the unassuming demeanour, that conceal the heart that is formed for deeds of noble daring

\* To *bounce* is a colonial phrase, equivalent to the English phrase, to *bluster*.

† Mr. Wentworth, the Australian barrister, is an *alumnus* of this school.

in the service of the public, or of unflinching endurance in the suffering of irremediable wrong.

But slavery, in whatever form it exists, uniformly produces the same evil effect on the native population of the country in which it prevails. It is of no consequence whether the slave be for seven years or for life, or whether his crime has been a black skin or a highway robbery. I was rowed ashore one morning, when at Rio de Janeiro in the year 1823, by two negro watermen. The landing-place was near the *Ilha das Cobras*, or Isle of Serpents; but there happened to be so many boats at the place when we reached it, that it was with some difficulty we could get close to the shore. While the negroes were endeavouring to get as near as possible, I observed a young Brazilian of respectable appearance—a tiny creature, however, not more I should think than four feet and a half in height—approach the landing-place, apparently looking out for a boat to cross the harbour or to go off to some vessel. A tall, athletic negro made him an offer of his boat in the same forward officious way as a Thames waterman would have done; but the Brazilian, intending perhaps to take some other boat which he had pre-engaged, or not wishing to be troubled at the moment, clenched his fist and dashed it violently at the face of the negro, who of course had to receive the grievous wrong with unmurmuring patience, —*for he was a slave!*



## CHAPTER IX.

## THE COLONIAL PRESS.

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*Quid domini faciant, audent quum talia fures ?*

VIRG. ECL. III.

What should become of honest men, if thieves were allowed to usurp the management of the press ?

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IN making the requisite preparations for embarking for New South Wales for the fourth time, after the publication of the first edition of this work in England, in the year 1834, it appeared to me to be absolutely necessary to provide the means of future defence for the interests with which I had previously been identified, in the form of some colonial periodical journal ; especially as I had then engaged to carry out certain additional ministers for the Presbyterian Church in the colony, together with two additional headmasters or professors for the Australian College,—an institution, which the reader is already aware had been almost annihilated during my former residence in the country, through the want of some such means of defence, and through its consequent exposure to the

virulent and persevering attacks of a thoroughly unprincipled and worthless colonial press.

It appeared to me, also, in accordance with a sentiment expressed somewhere by Mr. Douglas of Cavers, in his eloquent and admirable work on the 'Advancement of Society,' that a weekly periodical journal, under proper management, might be made one of the most powerful means of promoting that great object, especially in a country like New South Wales,—a country in a state of rapid transition, and in which the very foundations of society were yet to be laid: and it therefore appeared to me, moreover, to be an object worthy of the utmost efforts of any honest man, to render the public press, which had almost uniformly been employed as an instrument of evil in the Australian colonies, an instrument of good for the future, by wresting it from the hands of those incapables and worse than incapables, who had so long employed it for their own petty and contemptible purposes, and virtually for the ruin of society. I accordingly provided myself with the means of establishing a weekly periodical on my return to the colony, which was accordingly commenced, under the designation of 'The Colonist, or Weekly Journal of politics, commerce, agriculture, literature, science, and religion, for the colony of New South Wales,' on the 1st of January, 1835.

The colonial press had at that period reached its lowest level, having altogether ceased to exercise the slightest influence on reputable men in the colony; for when the stream of its vapid inanity was broken in

any instance, it was only to give vent to the vilest passions in language of the most contemptible abuse. The 'Sydney Gazette,' the only paper in the colony which is published three times a week, was, at the period in question, ostensibly under the editorial management of an emancipated convict of the name of O'Shaughnessy, a person of very improvident and dissipated habits; but was virtually under the entire management and control of a Scotch convict of the name of Watt, who had been outlawed in Edinburgh, and afterwards transported from London for embezzlement to a large amount in the house of Todd, Morrison, and Co., of Fore-street, and was still actually under the operation of his unexpired sentence, although holding a ticket of leave, and allowed to employ himself for his own advantage; which he was somehow permitted to do, while living notoriously in a state of concubinage with a female convict illegally at large, under the very eye of the colonial police. Nay, so thoroughly degraded was the colonial press at the period I allude to, that there had even been a competition for the services of this individual between the 'Sydney Gazette' and the 'Sydney Monitor;' and it was only because the balance of power and of emolument seemed to incline towards the former of these journals, that it was honoured with the preference.

The influence which these individuals were thus permitted to exercise was not only demoralizing, but absolutely dangerous to the community; their efforts being virtually directed to the abolition of all those moral distinctions which the laws of God have esta-

blished in society, and to the entire obliteration from the mind of the convict of all sense of degradation and criminality. In fact, the general tendency of their writings was to frustrate all the ends of penal discipline, and to neutralize every attempt at reformation.

Perceiving the absolute necessity, as far as the cause of public morals was concerned, of putting down this prodigious enormity, and finding that the colonial government were not disposed to do any thing in the matter, (the convict Watt, notwithstanding the notorious character of his profligacy, being rather under the protection than under the *surveillance* of the colonial police, while O'Shaughnessy was actually the bosom friend of a very influential officer of the government,) I wrote a series of essays, which were published in the earlier numbers of 'The Colonist,' under the title of 'The Literary Profession, or Colonial Press;' the object of which was to point out the vast importance of that powerful engine to society at large, and the absolute necessity of having it under the management of reputable men in a convict colony. In these essays I endeavoured particularly to direct the attention of the public to the state and management of the 'Sydney Gazette' under its convict and emancipated convict editors, and showed that it was an absolute disgrace to the whole community to permit so monstrous a state of things to subsist for a moment longer.

The convict Watt, however, and his coadjutor O'Shaughnessy, had the address to persuade certain of the wealthier emancipists to make common cause with



them, and to regard their own interests as identified with their continued maintenance and support as directors of the press. A combination was accordingly formed to put down the 'Colonist' journal, and to ruin myself individually for having dared to promulgate such obnoxious sentiments; a wealthy emancipist, who had been transported not many years ago for robbing a chapel in London, but who had acquired great wealth in the colony after the expiration of his sentence, and who was living at the time in a state of concubinage with a female convict illegally at large, having headed a list of subscriptions for the accomplishment of so desirable an object, by means of a series of actions to be instituted in the colonial courts against the 'Colonist,' with £50. A criminal information was accordingly applied for in the Supreme Court of the colony, at the instance of O'Shaughnessy, on the ground of certain observations in the papers referred to, which were alleged to be libellous; and the first counsel at the colonial bar, W. C. Wentworth, Esq., a native of the colony, who had uniformly identified himself with the views and claims of the emancipists, was engaged for the prosecution. As the case was one of prodigious importance to the moral welfare of the colony, and as I had reason to suspect that the views I entertained, and had published on the subject of the press, were not those of the colonial bar generally, and especially of that portion of it which was supported chiefly by emancipist practice, I undertook the defence in person. The proceedings, of which the following is an abridged account, as reported in the 'Colonist' journal

of June 18, 1835, excited intense interest in the colony, and, I am happy to add, have already been productive of the most beneficial effects.

#### “ THE LIBEL CASE.

“ WE intended to have made the new Assignment Regulations the subject of our leading article for this number; but the recent proceedings in the Supreme Court, relative to the case of alleged libel, that has arisen out of the publication of the leading article in the fourteenth number of this journal, have induced us to postpone our intended observations on that important subject till a future opportunity, and to appropriate the space usually occupied by our leading article, in presenting our readers with an account of these proceedings, which they will doubtless acknowledge afford an appropriate sequel to the series of articles we have already published on ‘The Literary Profession, or The Colonial Press.’

“ The article published under this title in the fourteenth number of this journal was written by the Rev. Dr. Lang; and the authorship was accordingly acknowledged in due form whenever it was required to be exhibited in evidence for the institution of law proceedings against this journal. On this acknowledgment, an application for a criminal information against Dr. Lang was made to their Honours, the three Judges, at the instance of Mr. Edward O’Shaughnessy, editor of ‘The Sydney Gazette,’ by W. C. Wentworth, Esq., Barrister; and Saturday, the 6th instant, was ap-

pointed as the day on which Dr. L. should be called on to show cause why such an information should not be granted : but Dr. Lang being accidentally absent at Hunter's River on the 6th instant, the case was allowed to stand over till Saturday the 13th, when it was accordingly brought forward before their Honours, the three Judges, sitting *in banco*.

“ Mr. Wentworth's application was grounded on the following affidavit by Mr. Edward O'Shaughnessy :—

“ ‘ (*In the Supreme Court of New South Wales.*)

“ ‘ Edward O'Shaughnessy, of Sydney, in the colony of New South Wales, gentleman, maketh oath and saith, that on the second day of April last past, there appeared in a certain public newspaper, called ‘ The Colonist, or Weekly Journal of Politics, Commerce, Agriculture, Literature, Science, and Religion, for the colony of New South Wales,’ edited, printed, and published by Kenneth Munro, in Sydney, a certain article, entitled ‘ The Literary Profession, or The Colonial Press,’ in which said article, amongst other things, are the following observations of and concerning him, this deponent ; that is to say, “ If Mrs. Howe, (meaning the proprietor of ‘ The Sydney Gazette,’ in whose service the deponent now is) therefore, has had to lament over the gradual but almost total destruction of a splendid property, she must ascribe the circumstance in great measure to the insult she was most unfortunately advised to perpetrate on the common sense and good feeling of this community

in elevating Mr. Edward O'Shaughnessy (meaning him this deponent) to the rank of editor of 'The Sydney Gazette.' Nay, if the colony had not actually been almost as totally devoid of right feeling, as such conduct had a direct tendency to make it, the property in question (meaning the said 'Sydney Gazette') would have been utterly annihilated years ago. For in what other part of the British empire, we would ask, would any number of reputable persons be found to allow a paper, edited by an individual who was only yesterday, as it were, a transported felon, to enter their doors?" And deponent saith, that in another part of the same article are the following observations of and concerning him, this deponent, that is to say,—“We shall be told that Mr. O'Shaughnessy (meaning him this deponent) is a reformed personage. We deny that he is so. A modest, retiring disposition is the uniform accompaniment of sincere penitence, of genuine reformation; and we maintain, in the face of the whole colony, and without the least fear of contradiction, that if Mr. O'Shaughnessy (meaning him this deponent) had possessed such a spirit in any degree, he would have shrunk back from a situation of such peculiar prominence and responsibility as that of editor of 'The Sydney Gazette,' even although it had been injudiciously offered him on the one hand, and though he had been quite fit for it on the other. The brazen-faced impudence of the man who could presume to step from the situation of government-man, or assigned servant to the late Mr. Robert Howe, into that of editor of 'The Sydney Gazette,' or, in other words, literary dictator to the lieges in this



colony, and could set himself down, in a sort of magisterial chair, to pronounce authoritatively on the character and actions of reputable men, and to issue forth opinions to a gaping public thrice a week on matters of government and legislation, sufficiently proves that he has no right or title to the epithet *reformed*, and that he is just as bad at heart as when he was *legged* in Dublin. And has His Majesty's colony of New South Wales indeed come to such a pass, that we must all be schooled, forsooth, by a fellow like this? But it is not on these general grounds alone that we would exclude Mr. O'Shaughnessy (meaning him this deponent) from the office into which he has most impudently intruded. The man is naturally quite destitute of the talent and vigour of mind which are indispensably necessary in such an office, to command the respect and to influence the opinions of the public. If he has talent at all, it is a talent for abuse; and the dish he is in the habit of serving up to his readers thrice a week, is mere mawkish prosing and miserable verbiage. Under such management, how could the proprietors of 'The Sydney Gazette' expect that their property could be saved from ruin?" And deponent further saith, that in another part of the same article are the following observations upon him, this deponent, (which observations purport to be part of a pretended speech in the House of Commons in England) that is to say—"I hold in my hand a file of that respectable colonial journal, 'The Sydney Gazette,' which it seems is now conducted by that paragon of editors, Mr. Edward O'Shaughnessy, (meaning him

this deponent) who had the honour to be transported from Dublin a few years ago, and who (thanks to the admirable system of penal discipline in our Australian colonies !), instead of being sent direct to a penal settlement, agreeably to Sir Robert Peel's express orders, along with the other special scoundrels of his class, was suffered to remain in that hot-bed of pollution, the town of Sydney, where he lived as comfortably all the time of his sentence as ever he had done in his life, in the capacity of government-man or convict-servant to the late editor of 'The Sydney Gazette,' and where he now conducts that hopeful journal himself, as a literary dictator to the colony, and ever and anon advocates the necessity of a House of Assembly for the said colony, on the very same grounds as those on which it is now advocated by my honourable friend." And this deponent saith, that in the following number of the said newspaper, there appeared the following observations, avowing the motives which induced the publication of the foregoing observations respecting him, this deponent, that is to say,—“Nay, we have no hesitation in informing Mr. O'S., (meaning him, this deponent) that one of the objects of our last leading article was to oust him from the situation which he now holds, to the manifest injury of the whole colony, and that we shall be greatly disappointed if that object should not be accomplished sooner or later ; for we hold Mr. O'S.'s (meaning this deponent) occupation of the situation of editor of the only paper in this colony which is published thrice a week a positive disgrace to the colony, and a clear proof of the utter inefficiency of its press in

times past.” And this deponent further saith, that although it is true that he did not arrive free in this colony, yet he has for several years become free by the expiration of his term of sentence, and during the period of his residence in this colony he has always conducted himself as a reputable and orderly member of society, and hath for some time past been employed as editor of ‘The Sydney Gazette;’ and the said deponent saith that the said publication is a false, scandalous, and malicious libel upon him, both in his private character and in his trade or profession, and hath a tendency to degrade or lower him in the estimation of society, and to injure him in his said trade or profession; and as this deponent verily believes, from the nature of the publication, the same was composed and printed with the express intention of injuring deponent in his character and circumstances, without any just cause or provocation.

E. W. O'SHAUGHNESSY.’

“ On being called upon by the Court to show cause why a criminal information should not be granted in the case, Dr. Lang submitted the following affidavit, which was accordingly read in Court:—

“ ‘(In the Supreme Court of New South Wales.)

“ ‘John Dunmore Lang, of Sydney, Doctor of Divinity, and Minister of the Scots Church, Sydney, maketh oath and saith, that an article published in a certain public newspaper called ‘The Colonist,’ on the second

day of April last past, of which he acknowledges himself to be the author, was written wholly and solely with a view to point out, to the reputable and virtuous portion of the inhabitants of this colony, the moral unfitness, and the political incompetency, of any person who had arrived in this territory as a transported felon, for having the management of so powerful and influential an engine as the public press in any country, but especially in a country appropriated by the Parliament of Great Britain for the transportation of felons—this deponent believing that any measure, which has the effect of placing the press in the hands of such persons in this country, must have a direct tendency to degrade the character of this community in the estimation of all reputable men in the mother country, to lower the standard of public morals in the colony, to counteract the ends for which this colony was originally established as a penal settlement by the Imperial Parliament, and to prevent the attainment of those political privileges and advantages for which its free inhabitants have repeatedly petitioned. And this deponent further maketh oath and saith, that it is his belief and conviction that the voluntary assumption of the management of the press by an emancipated convict, or transported felon, who has obtained his freedom in this convict colony, is itself a sufficient and satisfactory evidence that such emancipated convict is not a really reformed character, and cannot therefore be trusted by society, with any degree of safety, or without the greatest danger to its own best interests, with the management of so dangerous an



engine as the public press, especially in a colony established for the reformation of convicts; but that while this deponent, acting on such belief and conviction, conceived it his duty, as a member of society, and more especially as a minister of religion, to adopt all such fair and honourable means as the public press afforded, for effecting the discontinuance of a system, which was nevertheless tolerated and is still in full operation in this colony, notwithstanding the danger and detriment to the whole community with which it was fraught, it was by no means either the wish or the intention of the said deponent to injure the plaintiff in this action in his private character, or to prevent him him from earning an honest livelihood in any other reputable situation, than that of editor to a public newspaper, which he was competent to hold. And this deponent further maketh oath and saith, that although he was not influenced to write the article aforesaid by any personal provocation he had received from the said plaintiff, but was actuated merely by a regard for the general welfare of this community, it is, nevertheless, true and notorious, that the said plaintiff has embraced every opportunity, both before the publication of the said article, and again and again thereafter, of employing the public press, in his capacity of editor of 'The Sydney Gazette,' for the purpose of blasting the reputation of this deponent as a member of society, and of ruining his character as a minister of religion, of which this deponent can exhibit abundant evidence; and that, therefore, the said plaintiff, having given much provocation, and having also taken the law into

his own hands, is not entitled to seek reparation for any supposed injury he conceives he has sustained from the publication of the said article, as he does not come into Court with clean hands. And this deponent further maketh oath and saith, that it is his belief and conviction, that the present action has not originated in any consciousness of injury sustained by the plaintiff through the publication of the aforesaid article, but has been brought at the instigation of certain evil-disposed persons, who have taken up a strong feeling of hostility towards this deponent, for his zealous and successful efforts in promoting the moral welfare and the general advancement of this colony; this deponent being credibly informed that a subscription-paper has been circulating in the town of Sydney, to collect money, ostensibly for the purpose of enabling the said plaintiff to obtain justice in this case, but really for the purpose of prosecuting the said deponent, if possible, to his entire ruin.

JOHN DUNMORE LANG.'

“ Dr. L. then addressed the Court in a speech of two hours, of which, however, we can only present our readers with the following abstract :—

“ ‘ Although I am not accustomed to speak in public in such circumstances as those in which I now find myself, I cannot but account myself fortunate in being permitted to speak in my own behalf in any circumstances whatever. It is a privilege I have seldom enjoyed in this colony for many years past; for con-

stituted as the colonial press has been till very lately, and engaged, as I have been, in undertakings which have appeared to me to be connected with the advancement of the public welfare, I have often been obliged to sit silent, while my character was traduced, and my motives and actions misrepresented by the press, without being permitted to say a single word for myself in any way.

“ ‘ During the long period I have resided in this colony, I have often had occasion to observe, that the progress of that system of reformation, for which it was originally established, was not only slow, but was retarded at every step by certain counteracting influences within the colony ; that the state of society, in regard to the prevalence of virtuous feelings on the part of the community, was exceedingly degraded ; and that the standard of public morals was so low, that crime itself was on all hands openly and unblushingly dignified with the honourable epithet of misfortune. In looking around for the cause and origin of such a state of things, I could not help observing also that the press had been mainly instrumental in bringing it about. That mightiest engine, which the Almighty had ever enabled mortal man to make use of for the reformation of society, had, it seemed to me, been employed in this colony to increase and to perpetuate its moral degradation. Poison, it appeared to me, had been cast into that fountain, which the All-merciful had opened to pour forth healing waters over the whole face of society ; and that which had been given by Divine Providence as a *spirit of health* to mankind,

had, to use the phraseology of the poet, been transformed, in the hands of unprincipled men, into a very *goblin damn'd*.

“ ‘It appeared to me, therefore, that no general reformation could either be expected or hoped for in this colony, until the press itself should be reformed—till that powerful engine should be placed in the hands of men in whom the public could place confidence, to whom they could look up with some degree of respect as their guides and instructors, and to whose opinions they would not be ashamed to defer. In considering the state of things in the colony more particularly in reference to this matter, I could not help observing, that ‘The Sydney Gazette,’ the oldest paper in the colony, the only one that was published three times a week, was under the management of an individual, who had been transported to this colony for his crimes, and who, within the last few years, had held the situation of somebody’s convict-servant or government-man in the town of Sydney—a situation, in comparison with which, in reference to the moral character it implied, the lowest pauper in England had much to boast of—nay, and that the associate of this individual in his editorial labours, was another individual actually undergoing the sentence of transportation, as a convict holding a mere ticket of leave.

“ ‘In these circumstances, it appeared to me that it was the bounden duty of every person who had the welfare of the colony at heart, and who felt himself at all competent to the task, to expose, and thereby, if possible, to put an end to a system which admitted



such enormities. With this view, and with this view alone, was the article written, for which I am now called to answer before Your Honours, as a false, scandalous, and malicious libel. That article was written to impress upon the reputable portion of this community this important principle,—that an individual who had been transported to this colony for his crimes, was incompetent to have the management of such an engine as the press in New South Wales—that a state of things which permitted such an individual to assume the management of such an engine was a positive disgrace to this colony, dangerous to the interests of pure morality, and the greatest obstacle that could possibly exist to the attainment of those political rights and privileges which all classes of its free inhabitants so ardently desire.

“ ‘ The principle contended for in the article referred to, viz.—that an emancipated convict is incompetent to have the management of the public press, could never for one moment admit of question in England : and if such a question is entertained, and requires to be agitated here, it only shows that we are as much at the antipodes of Great Britain in point of moral feeling, as we are in point of geographical position. No emancipated convict would ever dream of making such a bold experiment on the forbearance of the community, as to assume the management of so powerful an engine as the press in any of His Majesty’s three kingdoms : and if the enormity has been practised and tolerated here, it only shows how deeply we have sunk, as a community, below the standard of public feeling in

England ; and how absolutely necessary it is, for those who have the welfare of this colony at heart, to make the most strenuous and unremitting efforts to put an end to a system which permits such enormities, and thereby to elevate the tone of public feeling in this colony to its proper, its English level.

“ ‘ It will doubtless be argued in reply to this reasoning, that the state of things in this colony is very different from what it is in England—that we have here a community consisting in great measure of emancipated convicts, and a large number of convicts in actual bondage : but this difference, so far from rendering it either expedient or safe for the community to have the press in this colony under such management as ‘ The Sydney Gazette ’ is under at this moment, increases the danger of such a state of things tenfold, and renders it a matter of still more urgent and imperious necessity to have so preposterous a system brought to an end.

“ ‘ Your Honours are well aware of the nature and strength of those feelings that constitute what is styled *esprit de corps*—how they warp a man’s understanding, and scoop out a totally different channel for his affections from the one in which they would otherwise have flowed. What, then, I would ask, is the nature of those feelings that constitute the *esprit de corps* of an emancipated convict ? or in what particular channel do his sympathies flow ? Why, the sympathies of an emancipated convict must necessarily be exercised in favour of all and sundry who belong to the same class as he has himself belonged to, and who occupy the

same situation as he has occupied himself—for the tenants of hulks and jails, for men who are actually undergoing the sentence of transportation for their crimes; and it is a principle in human nature, that when our sympathies are engaged for any man's person, they are most easily transferable to his acts. Sympathy for the criminal, on the part of the emancipated convict, thus becomes sympathy for his crime. The feeling of kindness towards the one becomes a feeling of tenderness towards the other; in proof of which I can appeal to your Honours for the truth of the statement I have already made in reference to the state of public feeling in this colony, viz.—that the name by which *crime* is most frequently distinguished in this colony is *misfortune*. The natural result, therefore, of a state of things, in which the press has been under the management of emancipated convicts and ticket-of-leave men, or of men who have the same *esprit de corps* with these classes of our community,—is that the standard of morals and of public feeling has been authoritatively lowered throughout the colony, and that the press generally has sunk to a somewhat correspondingly low and degraded condition. But the principle of *esprit de corps* operates to the disadvantage and injury of the community, in the case of an emancipated convict having the management of the press, in another and most important respect: for, taking it for granted, as I feel constrained to do, that an emancipated convict, who assumes the management of such an engine as the press in this colony, must necessarily be an unreformed character, what regard can the man,

who has no character of his own, have for the character of others? His object, in accordance with the well-known principles of human nature, must necessarily be to reduce all and sundry to the same level with himself—to obliterate the sense or recollection of his own disgrace by obliterating the distinctions between vice and virtue.

“ ‘ Now, considering that ‘ The Sydney Gazette ’ had been the prime source of pollution, and the chief cause of the degradation of the press, in this colony, and considering also, that this had arisen from that paper being at present under the management of convicts and emancipated convicts, as well as from its having been almost all along under the influence of men whose sentiments and opinions had been formed, and whose characters had been cast, in that mould ;—it appeared to me that I should be discharging a public and most important duty, by pointing out to the colony the true character of a system of such enormity, that so powerful and influential an engine as the press might, if possible, be wrested from the hands of incompetent and unworthy persons.

“ ‘ And to satisfy Your Honours that such was the real origin and object of the article which has been characterized by the plaintiff as a false, scandalous, and malicious libel, I shall read a portion of it to your Honours :—

“ When the business of an editor of a newspaper was merely to report the common occurrences—the accidents and offences—of the day, and especially when



his readers comprised only a small portion of the general population, his office was neither important nor influential: such was the state of the periodical literature of Great Britain within the recollection of many individuals yet alive: the mass of the people were utterly devoid of curiosity as to what was happening in the great world around them; and the miserable periodical press of the period merely furnished the country squire, the parish clergyman, and the village milliner, with a list of the births, marriages, and deaths of the day.

“ The first important event that led to a different state of things—arousing the nation from its state of lethargy, and exciting the press into vigorous action—was the American war; an event, which in one day severed thirteen flourishing colonies from the parent state, and subjected the British arms to a series of disastrous repulses, such as they had never experienced from all the chivalry of France. That event, awakening as it did a warm sympathy on behalf of the injured and oppressed Americans in the breast of a large proportion of the general intelligence and virtue of the nation, led the people at large to inquire, on the one hand, into the political rights of their fellow subjects, the late colonists of America; and to hold an inquest, on the other, on the miserable policy of their rulers, whose incapacity and gross mismanagement had made the nation—

A destiny meet,  
So dark with dishonour, so foul with defeat.

“ Shortly after this period of national excitement, the

French revolution came like a thunder-clap upon the dwellers in the world. By that *earthquake*, in the course of which *the tenth part of the Babylonish city fell, and the sun and moon were darkened, and the stars refused to give their light*; in the political firmament of an ancient European kingdom, the minds of men were again strongly excited, and the press began to exercise an influence and a power which it had never done before. The nature and character of this excitement were altogether political; and the inquiries to which it led respected the constitution and the administration of government, and the national, civil, and political rights of men.

“The unfortunate issue of the French revolution, and the military despotism in which it terminated, enabled the Toryism of England to repress the spirit of the age for a whole quarter of a century, by involving the nation in what is now considered, almost universally, an unjust and unnecessary war. But that war came to an end, and so also did the peace that followed it; for in a period of profound tranquillity the revolutionary drum was again beat fiercely, and France, Belgium, and Poland were fearfully convulsed to their centres. Surrounded as they were with the ocean-waves, it was not to be supposed that the British Isles could remain unaffected in the midst of this *moving of the waters*: the revolutionary wave passed over them also, and the Reform Bill was the earliest grand result of the mighty movement that ensued. In the progress of that movement, the press suddenly assumed a position which it had never occupied before, and began to exert an in-

fluence which no party, however wealthy, or numerous, or powerful, could disregard with impunity: for, instead of merely affording the country squire, the parish clergyman, and the village milliner, a list of the births, marriages, and deaths of the day, as it did fifty years ago, that powerful engine now commands the willing attention of myriads and myriads more of the general population, and has acquired the power of influencing, either for good or for evil, vast masses of men. In short, the object of the press is no longer to furnish a list of 'hair-breadth 'scapes, and moving accidents by flood and field,' but to enlighten the understanding and to guide the judgment of nations, and thereby to ameliorate the condition of the human race. In pursuance of this object it has reared for itself a dictatorial throne in the face of all Europe, and given forth laws for the general welfare of society, which even monarchs must obey: it sits in judgment on all matters of foreign and domestic policy; and from its ultimate decisions there lies no appeal: it holds its inquests on the characters and principles of all public men, from the first magistrate of the state to the meanest constable: and whereas the old British constitution acknowledged only king, lords, and commons, it has in so far new-modelled that constitution, as to get itself acknowledged the fourth, and that not the least influential estate of the realm.

“What then shall we think of the state of things in a community, formed of British subjects, in which the manager of so powerful an engine, the occupant of a situation of such commanding influence and such high

responsibility, is an individual, who was only yesterday, as it were, a transported felon, and whose ankles are probably still blue with the marks of his iron fetters? What shall we think of the presumption of the party or parties who could insult the good feelings of a whole community by such an arrangement? What shall we think of the moral and political degradation of that community itself, that could tolerate such an arrangement for a single day?

“After the death of the late Mr. Robert Howe, the Rev. Ralph Mansfield acted for several years as editor of the ‘Sydney Gazette,’ in virtue of an arrangement which he had made with Mr. H. a short time previous to his death; but that arrangement being found disadvantageous to the trustees, it was broken off, and an engagement made with the Rev. H. Carmichael, A. M., who was then classical professor in the Australian College, to conduct the paper. Mr. C. accordingly did so for a quarter of a year; but having on one occasion written a leading article, in which he thought proper to maintain that the salaries of certain high functionaries in the colony were much more than a reasonable compensation for the services they rendered to the community; and articles of that nature being altogether repugnant to the principles of obsequiousness and servility to the powers that be, which had uniformly distinguished ‘The Sydney Gazette;’ and Mr. C. refusing, moreover, to suffer himself to be gagged for the future;—his services were dispensed with in so summary a manner, that the Supreme Court allowed him £150 damages in a civil action which he



brought against Mrs. Howe's trustees for breach of engagement.

“The late Mr. Howe, being unfortunately supposed useful to the late colonial administrations in a variety of ways, was treated by these administrations with especial indulgence, and occasionally received favours, which the rival editors of the colony could not even hope to obtain. In this way a person of the name of O'Shaughnessy was assigned to him as a government-man or convict servant, and was found so useful in that capacity, as a collector of accidents and general reporter to the paper, that Mr. H. treated him with much more indulgence as a convict-servant than he could have had directly from the government as the holder of a ticket of leave. O'Shaughnessy, our readers will perceive, was of the class of specials or literary convicts—a class, which Sir Robert Peel rightly considered as far more dangerous to the reputable portion of this community than the poor Irish White-Boy or English machine-breaker, and accordingly ordered the late Governor to send direct to the penal settlements of Wellington Valley, Moreton Bay, or Norfolk Island; but of which General Darling occasionally allowed individuals, in direct contravention of that salutary regulation, to get back to Sydney, to the great annoyance of the colony. At what time or in what manner O'Shaughnessy obtained his emancipation—whether by servitude or by favour—we neither know nor care; but during the respective incumbencies of the Rev. Messrs. Mansfield and Carmichael, he occasionally wrote secondary articles for ‘The Sydney Gazette,’ (by whose

proprietors he was still engaged as reporter, clerk, and newsmonger) which, in order to enable those who were no judges of style to distinguish from his principal's, were generally indicated by an index or hand.

“Whether Mrs. Howe and her trustees are judges of style or not, we cannot pretend to determine; but this we know and are assured of, that they must be very indifferent judges of propriety, and that their estimate of the intellect and the moral feeling of this colony must be sufficiently low: for, on the discontinuance of Mr. Carmichael's engagement, they deemed Mr. O'Shaughnessy, late government-man to Mr. Robert Howe, a competent person to occupy the high, commanding, influential, and responsible situation of editor of what ought otherwise to have been the first periodical in the country; to sit in judgment on all measures of the colonial government, whether towards the free or towards the bond; to offer his opinion authoritatively on the character and tendency of the system of penal discipline in this convict colony—that system, of which he had himself been so notorious an instance of the gross abuse; to hold an inquest thrice a week on the characters and actions of all public men; and to influence, for good or evil, to a degree which almost no other situation in the colony can enable its occupant to do, the intellectual and moral character of our entire population.

“If Mrs. Howe, therefore, has had to lament over the gradual but almost total destruction of a splendid property, she must ascribe the circumstance, in great measure, to the insult she was most unfortunately advised

to perpetrate on the common sense and good-feeling of this community, in elevating Mr. Edward O'Shaughnessy to the rank of editor of 'The Sydney Gazette:' nay, if this colony had not actually been almost as totally devoid of right feeling, as such conduct had a direct tendency to make it, the property in question would have been utterly annihilated years ago: for in what other part of the British empire, we would ask, would any number of reputable persons be found to allow a paper, edited by an individual, who was only yesterday, as it were, a transported felon, to enter their doors?

" But the evil done to this colony generally, by the introduction of such a man as Mr. O'Shaughnessy into such a situation as the one he occupies, is of a still more serious kind: in short, it is the most effectual means that could possibly be adopted by the worst enemies of the colony, to lower its character in the estimation of His Majesty's Government and the Parliament of England, and to bring it into absolute contempt. If Mr. Bulwer,\* for instance, were to bring forward a motion in the House of Commons, founded on our colonial petitions of former years, to grant this colony a House of Assembly; and if we had any private interest to serve in preventing that " con-

\* A petition to the House of Commons for a House of Assembly for the colony had been forwarded by a large party of the colonists, chiefly of the class of emancipists, to Mr. Bulwer. Mr. Morrison, M.P., of Fore-street, London, was the head of the mercantile establishment in which the convict Watt had been employed when he committed the crime for which he was transported.

summation devoutly to be wish'd," and were determined, as we generally are, to carry our point, we should just adopt the following plan; and however favourably disposed the House might otherwise be to promote the best interests of the colony, by granting the earnest prayer of nine-tenths of its respectable inhabitants, we are confident we should succeed in defeating the measure. We should call on Mr. James Morrison, M. P., of Fore-street, London, who unfortunately knows as much about some of the worthies of 'The Gazette Office' as we do ourselves, and who would therefore feel disposed to take up any subject in which they are personally concerned; and we should give him a friendly hint as to how it was proper to proceed in defeating the object of the colonial petition. As soon, then, as Mr. Bulwer had finished his luminous and argumentative speech, setting forth the population and resources, the agriculture and commerce, the rapid extension and the future advancement of the colony, and concluding by pointing out to the honourable House the propriety of granting a House of Assembly to so loyal, and flourishing, and hopeful a colony, Mr. Morrison would start up to second the motion, and he would do so in some such terms as the following:—

“ ‘I rise to express my cordial assent to every syllable that has fallen from my honourable friend, in regard to the rapid growth and the present prosperity of His Majesty's colony of New South Wales: but, as my honourable friend appeared to me not to have his



argument in favour of granting a House of Assembly to that colony supported by sufficiently unexceptionable authority, it gives me infinite pleasure to be able to supply this material defect in my honourable friend's speech, by producing an authority, in support of the various forcible and convincing statements of my honourable friend, to which, I am confident, this House will most cheerfully bow. I hold in my hand, therefore, a file of that respectable colonial journal, 'The Sydney Gazette,' which, it seems, is now conducted by that paragon of editors, Mr. Edward O'Shaughnessy ; who had the honour to be transported from Dublin a few years ago, and who, (thanks to the admirable system of penal discipline in our Australian colonies !) instead of being sent direct to a penal settlement, agreeably to Sir Robert Peel's express orders, along with the other special scoundrels of his class, was suffered to remain in that hot-bed of pollution, the town of Sydney, where he lived as comfortably all the time of his sentence as ever he had done in his life, in the capacity of government-man, or convict servant, to the late editor of 'The Sydney Gazette ;' and where he now conducts that hopeful journal himself, as literary dictator to the colony ; and ever and anon advocates the necessity of a House of Assembly for the said colony, on the very same grounds as those on which it is now advocated by my honourable friend. Now, although I would most unhesitatingly support my honourable friend's motion on its own intrinsic merits, I must inform the Honourable House, that supported as it is

by the respectable authority of Mr. O'Shaughnessy, I shall do something more, for I shall propose the following amendments, viz.—

‘ 1st, That in the event of a House of Assembly being granted to the colony of New South Wales, the thrice-convicted felons, at the penal settlements of Norfolk Island and Moreton Bay, be empowered to send knights of the shire, to represent their interests in the said House, and—

‘ 2ndly, That in the event of a House of Assembly being granted to the convict colony of New South Wales,—in which men like Mr. O'Shaughnessy are allowed to direct public opinion,—the inmates of His Majesty's prison of Newgate be empowered to send down two of their number in future to represent them in this House, irons and all.’—*Parliamentary Debates, New Series.*

“ After such an exposé, the colonial petitioners, however numerous and however respectable, would be sure to get a horse-laugh, instead of a House of Assembly, from the Commons, in answer to their petition, however eloquently supported that petition might be by Mr. Bulwer, or by any body else. Whoever therefore is desirous of seeing a House of Assembly in this colony, let him endeavour by all means to shut Mr. O'Shaughnessy's mouth on that subject in future.”

“ ‘ It will doubtless be urged in reply to these observations, that an emancipated convict is restored to all the rights and privileges of a free subject, and may therefore undertake the management of the press, as well as fill any other situation for which he is com-

petent. I admit that the emancipated convict is restored to all the rights and privileges of a free subject, inasmuch as he is free to claim, and is sure to receive, the protection of the law as a member of society, in the exercise of whatever reputable business or calling he may engage in for earning an honest livelihood, equally with any other free subject of the realm: but if it is meant to be insinuated, as is generally done when the case is argued by the press in this colony, that the emancipated convict is restored to all the rights and privileges of a free subject, in such a sense that he stands thereafter upon exactly the same ground, in all respects whatsoever, as any other free subject on whom the sentence of transportation has never passed, I deny the position altogether. Why, if the restoration to rights and privileges, which an emancipated convict who has undergone the sentence of transportation can rightly claim, is to be understood in so wide and unlimited a sense as is thus contended for, then might we find an emancipated convict, provided he had previously received the requisite education, sitting on that bench with Your Honours, or pleading as a barrister in this Court; for these are objects of ambition to which every other free subject may look forward under our happy constitution, in which mere humbleness of birth precludes no man from either seeking or obtaining the highest honours of the State. But Your Honours are aware, that no such anomaly can possibly occur even in this land of anomalies: for, in order to keep the fountain of justice pure and unsuspected, and to maintain a becoming respect for this Honourable

Court throughout the country, this Court has found it both expedient and necessary to protect itself from the intrusion of any such individuals ; insomuch, that not only is it incompetent for an emancipated convict to sit on that bench with Your Honours as a judge, or to plead in this Court as a barrister, it is even incompetent for him to practise in the lowest rank of the profession as an attorney. And, if it is indispensably necessary for the public welfare, and for the interests of justice and morality in this colony, to protect this Court from the intrusion of emancipated convicts into any department of the legal profession, are not these interests equally concerned, and does not regard for the public welfare equally demand, that the situation of an Editor of a public newspaper shall be protected from a similar intrusion,—especially in an age like the present, in which the press claims for itself a species of absolute domination over all interests, over all classes of society, over all men ? If a judge acts corruptly, he is amenable to justice, and may be impeached with comparative facility ; if a barrister or attorney acts corruptly, it is in the power of this Court to strike him off the rolls : but if the Editor of a newspaper acts corruptly—if the director of the public press disseminates opinions that are subversive of the peace, and ruinous to the morals of society—by what law shall we bring him to justice ? at what bar shall we impeach him of his moral incompetency ? The interests of justice and the welfare of the public demand, therefore, that the situation of the Editor of a public journal shall be protected from the intrusion of incompetent persons, of persons in



whom the public cannot place confidence, just as much as the situation of an attorney, or of a barrister, or of a judge. And if a situation of such commanding influence in society, as that which secures to an individual the management of the press, is nevertheless intruded into by an individual morally and politically incompetent to hold it, one in whom the public can have no confidence, and who only employs his power for the injury of society, it becomes the duty of every honest man—of every man who has the welfare of society at heart—to impeach that individual of his incompetency at the bar of public opinion, as I have done the plaintiff in the article for which I am called to answer this day. In short, the man who would maintain that the restoration of an individual, upon whom the sentence of transportation has passed, to the rights and privileges of a free subject, renders that individual morally and politically competent for any situation whatsoever,—that man's motto is not *Fiat Justitia*, but *Ruat cælum*; or, in other words, 'Let all the distinctions that subsist in civilized society be done away with; let those land-marks, which the Eternal has established between right and wrong, be entirely removed; and let the world revert to that state of chaos in which it existed ere the Creator said *Let there be light*, and separated the light from the darkness.'

“ ‘I am no lawyer, and cannot appeal to legal authorities; but I appeal to Your Honours, whether there are any to refer to in this particular case: nay, I am confident there is not a single case in all the law-books in England, of an emancipated convict assuming the

management of the press. I shall take the liberty, however, of citing one or two cases from the ancient classics, to point out in what manner public opinion usually operated, in excluding individuals, in the condition of the plaintiff, from situations of influence and prominence in society, even when the standard of public morals was pitched far lower than it is in Christian nations. In the reign of the Emperor Augustus, a freedman, who had somehow acquired an immense fortune in the city of Rome, conceived himself entitled, on the ground of his wealth, to occupy one of those seats in the Roman amphitheatre, that were appropriated, by the law of Otho, to Roman citizens of equestrian rank. The poet Horace, observing the circumstance, was moved with indignation at the individual, and, in an ode on the subject, addressed him in such terms as the following :—

*Ibericis peruste funibus latus,  
Et crura dura compede ;*

‘Thou who hast undergone corporal punishment, and whose legs have been bound in double irons, how canst thou presume to assume the rank and place of the honourable citizens of Rome?’ During the same emperor’s reign, a regiment of Roman soldiers had allowed themselves to be taken prisoners by the enemy—a circumstance which was held much more disreputable in ancient than it is in modern times ; and the government had resolved not only to ransom them from the enemy, but to restore them to their place among the troops of the line. Horace felt as highly

indignant at the measure as he did in the case of the freedman, and in a beautiful ode on the subject he thus writes :—

Flagitio additis  
 Damnum. Neque amissos colores  
 Lana refert medicata fuco :  
 Nec vera virtus, quum semel excidit,  
 Curat reponi deterioribus.

‘ The restoration you propose is not only disgraceful, but a serious loss to the commonwealth. Wool, when once dyed, never recovers its original colour ; and when a virtuous character is once lost, it cannot be restored.’ I should be sorry to subscribe to these sentiments in their full extent : I only quote them to show, that public opinion has operated in all countries, in excluding, from situations of prominence and influence in society, men who have once degraded themselves by their criminality in the eye of the law. And to show Your Honours that the object of the article, which is stigmatized as a false, scandalous, and malicious libel, was nothing more nor less than to establish this important principle, I shall take the liberty of reading another extract to the following effect :—

“ There are certain situations of importance to the public in this colony, which an emancipist cannot hold, however irreproachable his subsequent conduct. He cannot, for instance, hold the situation of a judge of the Supreme Court ; he cannot plead as a barrister in that court ; nay, he cannot even practise as an attorney. Again, would the Archdeacon attempt to place an emancipist, however irreproachable his colonial cha-

racter, as Episcopalian chaplain in any district of the colony? Would the Roman Catholic Vicar appoint such a person as a Roman Catholic priest? Or would the Scotch Presbytery ordain him as a minister of one of the colonial churches in their communion? We think not. There would be a precious outcry over the whole colony, if any such preposterous attempt were to be made. And is the situation of an editor of a newspaper of less importance to the community in this literary age—this age of the despotism of the press—than that of an attorney? or than that even of a district colonial chaplain? We are not likely to form a lower estimate of the clerical office than other men; but we hold it a matter of as paramount importance to the public, that in an age like the present—teeming as it is to overflowing with the principles of revolution and infidelity—the press should be in the hands of right-principled and right-hearted men, as it is that such men only should have access to the pulpit. And if a sincere regard for the public welfare on the part of the government on the one hand, and of the colonial ecclesiastical authorities on the other, precludes the emancipist from practising in the courts of law, or from officiating at the altar; why should he be allowed to have the management of an engine which has evidently far more influence on a large portion of this community than either the pulpit or the courts of law—an engine which, if not under the vigorous and active management of men of sound principle, is sure to scatter *firebrands, arrows, and death*, and



to diffuse a moral pestilence over the whole face of society."

"It will doubtless be argued in reply, that to exclude emancipated convicts from any situation in society which they have ability to occupy, is repugnant to those principles of charity that distinguish the Christian religion, and that therefore the right hand of fellowship should be held forth to help the emancipated convict over the stile, into every situation which a free-man, on whom the sentence of transportation has never passed, may lawfully occupy. But Your Honours are well aware that there is a spurious charity in the world; which often passes current for the true; and that individuals can never have claims upon our charitable feelings inconsistent with the exercise of justice to society at large. 'Jampridem, equidem,' exclaimed the famous Cato in the Senate House at Rome, when Julius Cæsar, who was afterwards emperor, was pleading for the manifestation of charitable and kindly feelings towards the men who had been engaged in Catiline's conspiracy; 'Jampridem, equidem, nos vera rerum vocabula amisimus; quia bona aliena largiri liberalitas, malarum rerum audacia, fortitudo vocatur: eo respublica in extremo sita. Sint sane, quoniam ita se mores habent, liberales ex sociorum fortunis; sint misericordes in furibus ærarii: ne illis sanguinem nostrum largiantur, et dum paucis sceleratis parcunt, bonos omnes perditum eant.'—'It is long, indeed, since we lost the proper designations of things: for, to make free with and to squander away other people's property is

now called liberality, and the audacity that perpetrates the most flagitious actions is styled boldness and spirit: at such a pass, in regard to virtuous feeling, has the commonwealth arrived. But if public feeling, if public morals, are indeed in so low a state, let men be liberal, if they please, with their own property, and with that of their friends; let them show their kindly feelings, if they so incline, to common thieves and robbers: but let them not sacrifice our best interests to persons of this description; and while they manifest a benignant disposition to a few miscreants, let them not devote the whole class of reputable men to one common ruin.'

“ ‘ Particular stress is laid in the plaintiff's affidavit, on that part of the article in which it is asserted that the plaintiff is not a reformed character. I shall read the portion of the article to which the plaintiff particularly refers:—

“ We are aware we shall be met with the argument which was once used by the late Mr. Robert Howe himself, when, relating the circumstances of his own conversion at a public meeting in the Wesleyan Chapel, he observed with a pardonable degree of self-complacency, ‘ Tell me not what I was, but what I *ham*.’ We shall be told that Mr. O'Shaughnessy is a reformed personage: we deny that he is so. A modest retiring disposition is the uniform accompaniment of sincere penitence, of genuine reformation; and we maintain, in the face of the whole colony, and without the least fear of contradiction, that if Mr. O'Shaughnessy had possessed such a spirit in any degree, he

would have shrunk back from a situation of such peculiar prominence and responsibility, as that of Editor of the 'Sydney Gazette,' even although it had been injudiciously offered him, on the one hand, and though he had been quite fit for it, on the other.

"The brazen-faced impudence of the man who could presume to step from the situation of government-man or assigned servant to the late Mr. Robert Howe, into that of Editor of 'The Sydney Gazette,' or, in other words, literary dictator to the lieges in this colony; and could set himself down in a sort of magisterial chair, to pronounce authoritatively on the character and actions of reputable men, and to issue forth opinions to a gaping public, thrice a-week, on matters of government and legislation, sufficiently proves that he has no right or title to the epithet *reformed*, and that he is just as bad at heart as when he was *legged*\* in Dublin. And has His Majesty's colony of New South Wales indeed come to such a pass, that we must all be *schooled*, forsooth, by a fellow like this?"

"Why, when your Honours consider what sort of an engine the press is, and what sort of jurisdiction it claims over all classes of society, over all interests whatever, I am sure your Honours will admit that a really reformed emancipated convict would never presume to assume the management of such an engine, or the exercise of such a jurisdiction. And yet the plaintiff has the assurance to come to your Honours to demand the punishment of the writer of this article, because,

\* The cant word for apprehended or convicted.

forsooth, it has a tendency to injure him *in his trade or profession* ! Why, if he ventured to carry on such a trade, or to exercise such a profession in England, the populace would have him burnt in effigy for the insult he had dared to perpetrate on the virtuous feelings of the community.

“ ‘ I submit then to your Honours, whether the article for which I am this day called to answer, as a false, scandalous, and malicious libel, is, in any respect, either false, or scandalous, or malicious ; and whether it is not rather a fair comment on the principle or text which it proposed to establish,—viz. that an emancipated convict, that is, an individual who has once been transported to this colony for his crimes as a felon, is morally unfit, and politically incompetent, to undertake the management of the press in this convict colony.

“ ‘ But the plaintiff has not only imputed malice to myself, as the writer of the article referred to, but has made affidavit that he had given me no provocation. Now, although I can assure your Honours, that not a line of that article was written from malicious feelings towards the plaintiff, or under the influence of personal provocation, but that it was written merely to establish a principle of the utmost importance to the welfare of this community ; it is not true, as is stated in the plaintiff’s affidavit, that he had given me no provocation : for months before the article was written, ‘ The Sydney Gazette ’ was filled with papers and paragraphs of every description, written in a style of the most personal and provoking hostility towards myself. I made it a rule indeed not to read such articles,



nor even to look at 'The Gazette' at all; and it was only when some particular paragraph was forced on my attention, that I came to know any thing of it: but having very recently had occasion to look over a file of the plaintiff's paper, with a view to this defence, I can assure your Honours, I had to encounter a perfect dunghill of personal abuse. In such circumstances, I submit to your Honours whether this Honourable Court is not called on to discourage and to put an end to such prosecutions as the present, on the part of such individuals as the plaintiff. I shall read the following extract on this subject, from the article so often referred to:—

“The other circumstance, indicative of the low despicable state of the colonial press, is the rabid desire, so long evinced by its respective Editors, to prosecute one another before the Supreme Court for defamation of character. There is nothing of the kind known in England. The Editor of a public journal there trusts to his own pen, and to the acknowledged respectability of his character, when unjustly attacked. But English Editors are generally gentlemen; we can only *wish* they were all so here. The peculiar sensitiveness of the colonial tribe, as to character, is both amusing and instructive. When an honest man walks along the highway, and hears a fellow shouting out *unprincipled ruffian*, he walks on peaceably, conscious that the epithet must be meant for somebody else, as it cannot possibly apply to him. Nay, if the impudent knave stops short in his very path, and repeats the obnoxious expression to his very face, instead of making a fuss

about it, he will probably merely say, ‘Get out of the way, sir; do you wish to provoke me to knock you down?’ But whenever certain colonial Editors hear such words, or words to the same effect, in their editorial walks, they instantly stop short, and stand with their ears pricked up, like a horse listening to a trumpet; for their conscience tells them that *the phrase does apply to themselves*; and therefore, whenever they can identify the speaker, they have him up forthwith before the Supreme Court, to get him punished, under the famous *Lawyer’s Act*, or Law of Libel, for telling the truth.”

“ ‘It will doubtless be maintained, that the character of my article, and the course I have taken in this defence, are inconsistent with the genius and spirit of the Christian religion: but that religion, which was designed for the reformation of mankind and the moral renovation of the world, carries in it terrors to evil-doers, as well as praise to those that do well; and there is nothing for which it ever evinces a deeper anxiety, than that the fountains of knowledge and the sources of instruction should be kept pure and uncorrupted.

“ ‘Individuals will also be ready to maintain, that my article and my defence both evince a spirit of hostility towards the whole class of emancipists. On this subject, I beg to read the following paragraph from the article itself:—

“ ‘If any evil-disposed person should assert, that these remarks have been dictated by a feeling of hostility to the whole class of emancipists, we have only this short

answer to give—It is false. We will yield to none in our earnest and sincere desire to elevate the character and to promote the best interests of the emancipists generally, and especially to give all due countenance to the virtuous and well-disposed portion of that class of our colonial population, in contradistinction to the worthless and the vile: but, if the circumstance of having ever been a convict disqualifies a man for the bar or the pulpit, we maintain, with the best of feelings towards the emancipists generally, that it ought to disqualify him also for the management of the press. There are five hundred other situations in the colony in which an emancipist may earn his bread and find employment, creditably for himself and beneficially for the public: why then should he be suffered to intrude himself into a situation in which his very presence is an argument, not against his own class in particular, but against the whole colony, in the Parliament of England?”

“ ‘ During the whole course of my residence in this colony, I have ever exhibited the most kindly feelings towards the emancipists; and as a writer on the actual state of the colony, I have not only evinced the propriety of extending the elective franchise to all respectable persons of that class, but maintained their eligibility to sit as members of a future House of Assembly—a situation to which I trust I shall ever be held ineligible myself as a minister of religion.

“ ‘ But if it should be represented as inconsistent with the character of a minister of religion, who, it will doubtless be alleged, ought always to be meek and

lowly, like his Master, to assume the vindication of the rights of the public and the claims of virtue in this particular instance, I beg to observe, that there are occasions on which this mild and gentle demeanour is as unbefitting a minister of religion, as an opposite demeanour is on all others. When the divine Author of Christianity found the temple at Jerusalem polluted with the presence of unworthy persons, did he merely go up to them, and request them in a very mild manner to walk out? No! he made a whip of small cords, and scourged them from within the sacred precincts: and I submit to your Honours, whether I have been doing any thing more, as a minister of religion, than merely acting on this precedent and following up this example, in endeavouring, in the article for which I have this day been called to answer before Your Honours, to cleanse and to purify the press in this colony.'

"On the conclusion of this speech, which was listened to throughout with the most profound attention, the Chief Justice, after conferring for a few minutes with the other Judges, observed, that the Court, exercising the functions of a Grand Jury, but without entering into the merits of the case, conceived there was sufficient matter upon the plaintiff's affidavit for referring the case to a Jury, and would therefore make the Rule absolute.

"There was an unusually large number of the respectable inhabitants of Sydney present during the proceedings, which appeared to excite the deepest interest. The reading of certain parts of the obnoxious article, especially the passage containing an extract of an



imaginary speech in the House of Commons, by Mr. Watt's late master, Mr. Morrison, gave general amusement : even the stern visage of Mr. Wentworth, counsel for the plaintiff though he was, was occasionally relaxed into a smile at the expense of his client. At all events, nothing could possibly have happened in the colony more strongly calculated than this prosecution, to advance the object for which the obnoxious article was written, or eventually to raise the character of the colonial press. The case has excited intense interest in all quarters, and we have reason to believe, that the result has been a general acquiescence in the soundness of Dr. Lang's position. Mr. O'Shaughnessy, it seems, has taken the hint, and made his exit from the 'Gazette' Office ; and although he has left a ticket-of-leave man virtually in his place, we shall not consider our task accomplished till we have put down that enormity also."

Although *the Rule* (to use the technical phraseology) *was made absolute*, the colonial judges having no discretionary power in such matters ; and although a criminal action was consequently allowed to be instituted in the case, no such action was ever commenced ; Mr. O'Shaughnessy and his friends having wisely concluded that it was not prudent to venture their cause on a second hearing. The moral effect of the whole proceeding, however, on the colony generally was powerful and instantaneous : the sentiments to which expression had been given—for the first time in the history of the colony—were immediately recognised and adopted as those of all reputable men in the community ; O'Shaughnessy

was driven from the office he had usurped by the force of public opinion ; and the emancipist interest—as distinct from the interests of all virtuous men in the colony—received a shock, from the paralyzing effects of which all the eloquence of a Bulwer\* will in vain attempt to retrieve it. In fact, that interest, which had been predominant in New South Wales for twenty years before, began to sink rapidly from the moment of O'Shaughnessy's ill-judged application for a criminal information to protect the convict press of the colony ; and it has already very nearly reached the humble level of absolute insignificance.

The convict Watt, however, having in the mean time ingratiated himself into the favour of the proprietrix of 'The Sydney Gazette,' whom he was afterwards permitted to marry, still exercised the whole management and controul of that paper ; and in order expressly to dislodge him from this situation, his trial at the Old Bailey was republished from 'The London Criminal Trials for the year 1828,' in the 'Colonist' of May 21st, 1835, prefaced with the following article on

#### “ THE LITERARY PROFESSION, OR, THE COLONIAL PRESS.

‘When bad men combine, the good must associate ; else they will fall, one by one, an unpitied sacrifice in a contemptible struggle.’—BURKE.

“WE are indebted for this highly appropriate motto to 'The Sydney Gazette.' It stood prefixed to the leading article in that Journal on the 8th of April, 1834,—a

\* Mr. H. L. Bulwer, M.P. is the volunteer parliamentary agent of the emancipist interest of New South Wales.

time when 'The Sydney Gazette' was notoriously under the joint editorial management of an emancipated convict, of extremely doubtful character, and a ticket of leave man, of the utter worthlessness of whose character there could be no room to doubt. For, after having been outlawed in Scotland for certain fraudulent transactions in the city of Edinburgh, in the year 1825, and transported from London for transactions of a similar but still more flagrant character, in the year 1828; and after having served for some time on his arrival in this colony at the penal settlement of Wellington Valley, pursuant to the express orders of the present Premier, who was then Secretary for the Home Department; the individual we allude to obtained from the late Governor a ticket of leave for the district of Sydney,—a place which, if General Darling had only obeyed his orders, and thereby discharged his own bounden duty to this community, he would never have been suffered to come within a hundred miles of, till he had completed the full term of his original sentence,—and was actually cohabiting with a convict woman illegally at large, if not at the very time, at all events either shortly before; or shortly after, the time when himself and his worthy associate had the almost inconceivable impudence to prefix the motto we have given above to a leading article of their joint manufacture! When Jeroboam, the son of Nebat, who made Israel to sin, wished to detach his subjects from the worship of the true God and the loyalty they owed to the house of David, he got two golden calves manufactured, and, setting them up with great pomp

in the presence of the people, said, *These be thy Gods, O Israel!* In like manner, when Mrs. Anne Howe wished to perform a somewhat similarly meritorious service to the colonists of New South Wales, she metamorphosed an individual in her employment, who had been her late husband's government-man, and the ticket of leave man of whose life and manners we have just given an abridgment, into the joint managers of her old-established paper; saying, virtually, if not actually, to the wondering community, "These be thy friends, philosophers, and guides, O thou long-eared colony of New South Wales!"

"In a former article on the subject of the colonial press, we showed that it was not only disreputable and disgraceful to the colony, to allow such a man as Mr. Edward O'Shaughnessy to guide the opinions of this community, as the editor of a public journal, but that such a circumstance was itself the most serious obstacle that could possibly exist to the attainment of those free institutions which every true friend of the colony, whether free emigrant or emancipist, is so earnestly desirous that it should speedily obtain; and that it would only require a little address, on the part of any able member of the House of Commons, to employ that single circumstance in such a way as most effectually to defeat every petition for a House of Assembly that might emanate from the colony for ten years to come. If such be the fact, what an overwhelming effect would it not give to the representations of Mr. Morrison, one of the members of



Parliament for the city of Ipswich, or of any other member who might feel disposed to set aside the arguments of Mr. Bulwer, in advocating the claims of this colony to a colonial legislature, or even to render that gentleman himself completely ridiculous, were Mr. Morrison able to add, that in discharging the duties of his high and highly responsible office of 'friend, philosopher, and guide' to the colony of New South Wales, Mr. O'Shaughnessy was assisted by a ticket of leave man, of whom he had been unfortunate enough to have some knowledge himself, and who, he could assure the House, was one of the most thoroughly worthless and dangerous persons of his class that had ever been transported to New South Wales! Nay, if Mr. Morrison were enabled to state, that these two individuals—the emancipated convict and the ticket of leave holder—had the impudence to quote the sentiment which stands at the head of this article, and to apply it to themselves as *an association of good men*, forsooth, in contradistinction to the really reputable portion of this community; and to issue forth editorial bulletins three times a week on such subjects as the transportation system, penal discipline in the Australian colonies, the mutual relations and correlative claims of free emigrants and emancipists, ticket of leave men and convicts; and to sit in judgment on all the measures of the colonial government, and to endeavour to overwhelm with abuse every honest man who refused to subscribe to their opinions, or dared to proclaim their own worthlessness to the peo-

ple of this colony ; the feeling of contempt that would naturally arise in the breast of every member of Parliament towards the members of a community, which allowed such individuals to retain the management of its press, would be succeeded by a feeling of general indignation and thorough disgust. Nay, it would perhaps even be made a matter of question, whether the member of Parliament who could offer such an insult to the House of Commons, as to propose to grant a House of Assembly to a community apparently so utterly destitute of honourable and British feeling, did not deserve immediate expulsion."

Watt's subsequent history in the colony is briefly contained in the following paragraphs, which I shall take the liberty to quote, as a most appropriate illustration of the character and tendency of a convict press, from a work I have recently published, and which has been already referred to, on 'Transportation and Colonization.'

"Watt was at length tried in the Supreme Court of the colony, at the instance of the proprietors of the 'Herald' newspaper, on a somewhat singular charge. In the year 1834 an anonymous letter had been written for publication in that journal, reflecting on the character and conduct of an individual in Sydney, who had formerly been a convict, but was then free. In the hurry of business it was put in type ; but, on being read for correction, it was found to be libellous and unfit for publication, and was consequently suppressed. Watt, who was then sole manager in the 'Gazette' Office, got

intelligence of the circumstance ; and being desirous of having the proprietors of the ‘Herald,’ who were reputable free emigrants, subjected to an action for libel—a course, which, in a colony abounding in needy and rapacious lawyers, is not unfrequently resorted to by artful villany and conscious worthlessness, as an approved instrument of torture for honest men,—bribed an emancipated convict compositor in the ‘Herald’ Office to steal for him a proof or printed copy of the suppressed article ; which he immediately enclosed in an anonymous letter, written in a feigned hand, and transmitted through the colonial post to the person to whom it alluded, that its being forwarded through so public a channel might be pleaded as a legal publication. The action was accordingly instituted, but was eventually lost ; its main object, however, being gained to a certain extent, in subjecting the parties interested to much inconvenience and considerable expense. It was more than eighteen months afterwards when Watt’s villanous procedure in the whole matter came to light. On its being discovered, he was tried in the Supreme Court on a charge of felony, but was acquitted ; the jury consisting partly, if not chiefly, of emancipated convicts. His acquittal was hailed by the worthless portion of the community—convicts and emancipated convicts, of the lowest grade—as the triumph of their principles and party ; but His Honour, Mr. Justice Burton, who presided at the trial, having represented to the Governor, from the facts elicited in the course of it, that Watt was an unfit person to be allowed to

remain any longer in Sydney, His Excellency ordered him forthwith to Port Macquarie, a subordinate settlement about two hundred miles to the northward.

“ In the course of his defence in the Supreme Court, Watt had made an outrageous attack on a magistrate of the territory, who was in no way connected with the affair. For this outrage he was called to account before the Sydney bench of magistrates, to whose summary jurisdiction he was amenable, as a convict holding a ticket of leave. The outrage, it appeared, was not punishable ; but various other charges being exhibited against Watt, the magistrates determined to enter into them at length. The investigation that ensued lasted many days ; and in the course of it, Watt’s whole manner of life in the colony, and the countenance he had been receiving from certain officers of government, fully appeared, notwithstanding a formidable array of perjury and chicanery of every description, which were sedulously employed on his behalf. To the utter astonishment of the colony, however, several of the most respectable magistrates of the territory, who had been concerned in conducting the investigation, and who had, perhaps, acted in the matter with greater zeal than prudence, were shortly after publicly dismissed from the commission of the peace !

“ On his arrival at Port Macquarie, Watt obtained permission to marry the widow of the former proprietor of the Gazette, whose valuable property he had reduced to the brink of ruin ; and having subsequently succeeded in ingratiating himself into the favour of the police magistrate of the settlement, he was the means



of sowing so much dissension between that officer and the harbour-master, that a commission of inquiry had actually to be appointed to proceed to Port Macquarie in the month of May last (1836), to investigate their mutual criminations. The result of that commission was the dismissal of both of these functionaries, and an order for the immediate cancelling of Watt's ticket of leave. On being apprised of this order, Watt absconded; and the last account of him, in August 1836, was that he had been apprehended, and flogged as a runaway! \*

“ Now, that a criminal like Watt, who ought unquestionably to have been doomed for a long period to hard labour and solitary confinement, should have been allowed to occupy a station of such commanding influence, as that individual attained so very lately in the penal colony of New South Wales, even during the period of his sentence of transportation,—subjecting the characters of various officers of His Majesty's Government to general suspicion, from alleged connivance at his delinquencies; occasioning the dismissal of various respectable magistrates from the commission of the peace, for investigating these delinquencies somewhat too minutely; occupying the time of courts of justice and benches of magistrates for weeks together, and thereby commanding all the while the exclusive attention of the press and the public; and finally raising up a formidable party in the colony for the countenance and protection of vice and villany;—

\* He has since been drowned at Port Macquarie.

that a state of things, implying so enormous a perversion of justice, should be permitted to subsist at the present moment in any part of the British empire, is (to say the very least of it) as strange in itself as it is disreputable to the British nation. Talk of the tendency of transportation as a species of punishment ! It would, indeed, have been miraculous if transportation had been found conducive in any degree to the prevention of crime and the reformation of criminals, under a system of management so thoroughly monstrous.”

There were various other objects of great importance to the colony of New South Wales, to which the efforts of ‘The Colonist’ journal were successfully directed ; such as the re-establishment and revival of the Australian College, which had sustained a considerable shock from the unexpected desertion of the Rev. H. Carmichael ; the discontinuance of the system of female emigration, which was rendering the whole colony, and especially the town of Sydney, a sink of prostitution ; and the arousing of the reputable portion of the colonists generally to a due sense of the vast importance of the revenue arising from the sale of the Crown lands of the colony, as a means of promoting their best interests, through the importation of a numerous, industrious, and virtuous free emigrant population.

There was another effort, however, on the part of ‘The Colonist’ journal, of much greater difficulty than any of these ; of which, moreover, as it has recently excited some attention, and led to some inquiry, on the part of the Committee of the House of Commons on

Transportation, at present sitting,\* I shall briefly detail the particulars.

The practice of concubinage, and the general profligacy of manners to which it leads, had been gradually disappearing from the face of colonial society during the ten years previous to the year 1833. About that period, however, the system of female emigration having come into operation, and that system having introduced into the colony a very large number of most abandoned females, together with not a few others of questionable virtue, picked up, wherever he could find them, in the whole three kingdoms, by Mr. John Marshall, the agent of the London Female Emigration Board, this demoralizing practice began to revive, and scenes of the most outrageous profligacy to be exhibited. It was therefore to the putting down of this practice, and to the establishment of a high standard of morals throughout the colony, that the principal efforts of 'The Colonist' journal were for some time directed. With this view, certain cases either of peculiar notoriety or of a peculiarly offensive character were indirectly and variously exposed; and the effect of such exposure, in other cases of a less flagrant character, was equally salutary and gratifying. For although two of the cases I allude to led to certain law proceedings in the colonial court, the moral effect produced on the community at large was not the less beneficial.

One of these cases excited intense interest in the colony. It was that of Mr. John Thomas Wilson, the managing partner in an extensive Sheffield house in

\* I have had the honour to be examined by that Committee for three days successively.

Sydney. This person had for several years been one of the most prominent individuals of our colonial community; being a leading member of all the joint-stock speculations of the country, and either secretary, treasurer, or honorary member of almost every religious or philanthropic society in the colony. It was ascertained, however, by the parties connected with 'The Colonist' journal, that he had not only ruined a young Scotchwoman of the name of Cavill, the sister of one of the free emigrant Scotch mechanics whom I had carried out to the colony to erect the Australian College Buildings, in the year 1831; but that, after sending that young woman clandestinely home to her friends in Scotland, with a promise, forsooth, that he would very soon follow her and marry her there, he had taken under his protection a woman of the name of Taylor, who had deserted her husband in Van Dieman's Land, and come to New South Wales to practise as an actress. Wilson had even proposed to take the Sydney Theatre for this woman; and in various ways his profligacy was ostentatiously obtruded upon the public, while his procedure towards the relatives of the young Scotchwoman had been peculiarly distinguished for its heartlessness and enormity. In short, the case of this individual appeared to the parties connected with 'The Colonist' journal eminently deserving of exposure, as well from the prominence of the delinquent as from the character of his immorality. The following *jeu d'esprit* was accordingly published in that paper on the 31st of March, 1836; and, in a subsequent number, a letter was inserted from the young Scotchwoman's brother, de-



tailing, in a very artless and affecting manner, Wilson's unprincipled and profligate procedure.

# THE FAMILY MAN;

A NEW SONG.

*To be sung at the next Concert*

BY A MEMBER OF THE ARTILLERY CORPS.

TUNE—*We 'll run the risk for a' that.*

John Thomas was a Shropshire man,  
And eke a worthy nailer ;  
He had a stout-built portly frame,  
And his flame she was a *Taylor* ;  
Who, though she tried to fasten John  
In Hymen's pleasant noose,  
Found to her cost, alas ! that he  
Was not a *Taylor's* goose.

She bound him with a silken cord,  
And then a cord of cotton ;  
But silk and cotton, flax and tow,  
Snapp'd as if each were rotten !  
She took to pouting then, and vow'd  
She'd sooner die of hunger,  
Than e'er be bound with *bullock chains*,  
Or wed an *Ironmonger* !

“ What is 't you say ? ” said he, as she  
Stood bolt upon *the boards* ;  
“ You're tenfold happier than if *kept*  
By half a dozen lords.  
There's not a show-room in the place  
Can be compared with mine ;  
There's not a woman on the town  
Has such a lot as thine.

“ Why, there ’s the Sydney Theatre,—  
Its owners wish to let it ;  
’Twould be the noblest spec of all,  
If we could only get it.  
We ’d take it either by the week,  
Or by the month or year ;  
And there ’s my good friend B——n,  
Will back us out, my dear.”

Said Parson H—— one day, as they  
Were riding in their carriage,  
“ Why, you ’ll disgrace us all, friend John,  
If you don’t make this a marriage.  
The thing has got about the town,  
In fearful notoriety ;  
And, mind, we ’ll turn you out of each  
Religious Society.”

*John Thomas* blush’d, and said ’twas strange  
How idle people CAVILL,  
But he would tell him all the truth  
And the whole case unravel.  
He would have married long ago ;  
(He ’s of the marrying kidney :)  
But when one has a wife at home,  
He can’t have one in Sydney.

The sensation produced in the town of Sydney, and indeed all over the colony, by the publication of this little *jeu d’esprit*, was quite unprecedented ; the parties concerned being known to every body, while the allusions were universally intelligible. Within two hours of its publication Wilson applied in person to Mr. Bull, the editor of ‘The Colonist,’ for information as to its authorship ; and on being refused such information, he

committed a violent assault on Mr. B., who was in a very delicate state of health at the time, in one of the principal streets of Sydney. Mr. B. immediately commenced an action of damages against Wilson, in the Supreme Court of the colony; and on the case being tried before Mr. Chief Justice Dowling and a special jury, a verdict of £5 damages was given for the plaintiff. That verdict was justly regarded by Wilson and his friends as a complete triumph, and was accordingly interpreted by the virtuous portion of the community as a demonstration, on the part of the jury, of their fixed determination to countenance and to maintain the vile system of outrageous profligacy of which Wilson formed so conspicuous a part, and to discourage every effort to put it down. There was less difficulty in arriving at this conclusion than there might otherwise have been from the composition of the jury itself; as two of the members of that body were of the class of emancipists, of whom one, if not both, had himself lived for many years in a state of concubinage; while certain of the free emigrant Sydney merchants, who formed the larger portion of the remainder of the jury, were themselves actually living at the time in the same disreputable state, with certain of Mr. John Marshall's free emigrant females. As the real question, therefore, which had been before that respectable body, was whether such a system should be kept up for the future or put down, (it being evident on all hands that there was no other method of putting it down than the one which 'The Colonist' had adopted,) it was deemed expedient and necessary for the moral welfare of the colony to coun-

teract the evil influence of such a verdict, and to prevent the establishment of such a precedent as it afforded, by indicating the polluted source from which that verdict had unquestionably flowed. This was accordingly done in the following remarks on the subject, which were published in 'The Colonist' immediately after the trial.

"The case of the editor of this paper *versus* the notorious John Thomas Wilson, for an aggravated and brutal assault perpetrated in the public street, was tried before His Honour the Chief Justice and a special jury yesterday afternoon. The fact, and the aggravated nature of the assault were proved by the second police magistrate; the delicate, and even dangerous state of health of the editor of this paper at the time the assault was committed was also proved by the testimony of Dr. Nicholson; and it was even admitted by the defendant's counsel, that at that very time he was impressed with the belief that Mr. Bull was not the author of the *jeu d'esprit*, under the title of 'The Family Man,' which had appeared in this journal, and provoked the wrath of the notorious debauchee. And yet so delicate is the sense of propriety of a New South Wales special jury, or rather, for we must speak it out, so strong is their sympathy with all that is vile and villanous in outrageous profligacy, and in cold-blooded and heartless iniquity, that they consider five pounds a sufficient compensation to the husband of a virtuous wife, and the father of a reputable family, for a grievous assault committed upon his person in open day, and in the open street of a town, by an individual whose advance in profligacy has kept pace with his success in business, and who after practising the most nefarious arts to accomplish the ruin of a virtuous female, and to destroy the peace of a respectable family, wipes his mouth, and is even applauded by the wretched creatures in the shape of ladies and gentlemen who frequent that sink of iniquity, the Sydney play-house, when holding parley with his adulterous paramour on the very boards! Talk of the jury system after this! Oh, no. Mr. Justice Burton, an emancipist jury for us after all! a jury of Moreton Bay men or Norfolk islanders. We shall be satisfied with any jury now! And if that worthy character, Jack the Slapper, who carries certain orders of their Honours into effect in the rear of the Sydney jail, should be made the foreman of a jury in our next case, we shall at least promise ourselves as good a verdict as that of the special jury in the case in question. If the jury had even taken fifteen minutes to de-



liberate upon their verdict, we might have supposed that at least one solitary individual of their number had lifted up his voice in favour of the interests of morality, and had maintained his ground for the long period of thirteen minutes and three quarters in behalf of public virtue. But the men were of one heart and of one mind in the matter. They allowed themselves no time for deliberation ; for as soon as that *worthy* jurymen Mr. —, who keeps at least one concubine, in the neighbourhood of Darling Harbour, and who, of course, could not but have a fellow feeling for the *worthy* defendant, had reminded the other jurymen of the sage remark of Mr. Counsellor Therry, that ‘ what was John Thomas’ case to day might be theirs to-morrow,’ the thing was decided at once, and out came *The Patriotic Association*, with a verdict of *Five Pounds* damages ! Prodigious !

“ There has nothing appeared since the commencement of this journal more strikingly illustrative of the direct patronage which the most outrageous vice and villany may expect to experience in certain quarters in this here virtuous colony, than this verdict. We have even heard, that it is intended to present an address to the jury for their services to a certain cause in the matter, and that it is to lie for signature for three days successively in every house of ill-fame in Sydney. As a specimen of the sort of influence which such a verdict as the one we wot of will naturally have in a community like this, we shall conclude this notice by merely mentioning the following incident. As soon as the verdict was announced, a drunken creature of an attorney, of the name of Foster, who had been paragraphed in this journal a few weeks ago, for publicly exposing his person in a state of intoxication, hied him off from the precincts of the Supreme Court to one of his haunts in the neighbourhood, and returning forthwith, actually met Mr. Bull, as he was descending the steps at the principal entrance of the Court, with a large horsewhip in his hand, threatening him with a personal application of it, as John Thomas had done ; observing, very significantly, that it could only *cost him five pounds*. Mr. B. immediately applied to the judge, who granted a warrant for the horsewhipper’s apprehension. We have no remarks to make on such an occurrence. The observation was as shrewd as the verdict was significant.”

These remarks were considered by His Majesty’s Attorney-General as a contempt of Court, and were complained of accordingly by that high functionary before his Honour Judge Dowling, who sentenced the editor

of 'The Colonist,' notwithstanding his solemn disavowal of any such intention, to a fine of £100 sterling, and imprisonment till it should be paid; commenting on the *enormity* of his offence with all the unseemly bitterness which that dispenser of colonial justice, who had acquired his own code of morals in the capacity of reporter to the London daily press, has uniformly evinced wherever 'The Colonist' and the cause of colonial morality have been concerned—with all the bitterness in fact which it is conceivable for a judge to manifest in any case, in accordance with a due regard to his oath of office. As a proof, however, that it was the general impression, on the part of the virtuous portion of the community, that the moral sense of the judge had been as obtuse as that of the jury, the whole amount of the fine to which the editor of 'The Colonist' was thus subjected was paid by the public within a few hours after the sentence was pronounced; while the mercantile house to which Wilson belonged, finding that in the improving moral temper and spirit of the colony their continued connexion with that individual would materially affect their business, gave him a large steamboat which they had recently purchased, to get rid of him altogether.\*

\* A new trial had in the mean time been applied for by the Attorney-General, on the ground of misdirection on the part of the Judge; but it was not granted, although the judges were unanimous in expressing their strong disapproval of the verdict. The following were the very apposite remarks of His Honour Judge Burton on the occasion:—

"The situation of an editor of a newspaper is a peculiarly arduous one; he possesses no legally-constituted right to become the *censor morum* of the community, such as is possessed by a judge on the bench or a

At all events it must be evident, from the cases I have detailed, that public opinion—I mean the opinion

clergyman in the pulpit; the law does not throw that shield around him that it does around those who possess that right. The assumption of the office is voluntary, and the person assuming it exposes himself to such attacks as these. But when an editor honestly discharges his duty in upholding virtue and exposing vice, in showing 'the very age and body of the time, its form and pressure,' where can he better look for protection, or from whom has he a better right to demand it, than from a jury of his country.

"He had taken the liberty of expressing his dissatisfaction with the verdict of the jury; he would therefore state his reasons for that dissatisfaction. He had attentively examined the evidence, and he could not discover any thing there that could have justified him in coming to such a decision. Every circumstance which appeared to have been urged in mitigation, would have been considered by him an aggravation of the offence. The article from which the provocation is alleged to have arisen, could not possibly have been considered as any mitigation of the assault. It was not even alleged that it was libellous; but if it had been, it was the duty of the defendant to have appealed to the laws of his country for redress. It could not be considered any cause of provocation, because it appeared from the evidence, that the assault was not committed on the impulse of the moment. On the contrary, the defendant had been aware of its publication four days previously; but it was seen that the assault was premeditated, that he had been lying in wait four days to commit the assault; this would therefore in his mind have assumed the form of a very serious aggravation of the offence. The assault it had been shown was a very outrageous one, and committed under very aggravated circumstances; he could not, therefore, conceive why the jury had returned such a verdict; he should have thought that such a verdict would afford a vast advantage to bold and wicked men over good and virtuous ones. He felt satisfied, from what had fallen from his brother judge who tried the case, that the jury had not been induced to return the verdict by misdirection on the part of the judge; he thought that the responsibility of the verdict rested solely between the jury and their God. If it had appeared that the judge had told the jury to consider the article as a false and malicious libel, without any qualification, he should have thought a new trial should be granted; but as he considered that the jury were solely responsible for the verdict, he was of opinion that the Court could not interfere with it."

of reputable and virtuous men—is rapidly gathering strength in the colony of New South Wales, and that

The following remarks were inserted in 'The Colonist' of July 14, 1836, in conclusion of the whole matter.

“ Our remarks on the ‘ strange eventful history ’ of the last few days must necessarily be brief. We observe, however,

“ 1. That it has been allowed on all hands that the verdict of the jury, in the case of Bull *versus* Wilson, was an unwarranted and unjust verdict. Their Honours, the three judges, have declared as much from the bench, and one of their number, Mr. Justice Burton, in terms which, we trust, the jury themselves, as well as the public generally, will understand and appreciate. For our own part, we would much rather be the victim of such a verdict from the jury, than the recipients of such a censure from the bench.

“ 2. That the *onus* of that verdict lies either on His Honour the Chief Justice, or on the jury. His Honour, indeed, has endeavoured to shift off the onus entirely from his own shoulders—with what success we leave our readers to determine. His Honour, it seems, was impressed with the idea, or rather perhaps with the fear, that the jury would give *outrageous damages*; and therefore—What?—why! and therefore—he leant too much to the other side! We cannot, of course, divine what His Honour's wishes were on the occasion; but, if we could, we should have been able to ascertain a point which, we are sorry to say, must remain a mystery—viz., whether the verdict was not rather in accordance with His Honour's wishes, than with his fears. At all events, we are sure the jury will not thank His Honour for throwing the whole onus and responsibility of the verdict upon them. Legally, doubtless, the jury are the only responsible parties in the matter. Morally and virtually, however, that responsibility rests in some measure somewhere else. The jury, we have no hesitation in saying, took their impression of the case from the judge; and when they retired into their private room and resolved instant— with the exception of one of their number who stood out for a higher amount, and who eventually succeeded—to give only a farthing damages, (such is the common report) that impression undoubtedly was, that the plaintiff and defendant in the case had only squared accounts with each other; the song (which had been characterised as a false, scandalous, and malicious libel) being, in their opinion, as outrageous as the assault.

“ 3. It will not do for Mr. Chief Justice Dowling to tell Mr. Bull, as



there is consequently a fair promise already afforded that that colony, debased as it has hitherto been

he does in his judgment on Monday last, that he was under the special protection of the Court, and had therefore no excuse for the remarks that were published in our paper of this day fortnight, after Mr. Foster, the attorney, (whether drunk or sober, we shall not inquire) had threatened him with a second assault, on the very threshold of the Supreme Court, and pleaded, as his motive or encouragement for such procedure, the outrageous verdict which had just been given for the brutal assault perpetrated by Mr. J. T. Wilson. Why, will any man suppose that the circumstance of being merely protected from a second assault, threatened by Mr. Foster, was any compensation whatever to the Editor of this paper, for the moral effect which Mr. Foster's threat demonstrated had been already produced on a thoroughly depraved community by that notable verdict?

“4. As it was not sworn by Mr. Bull that he was himself the writer of the objectionable remarks on the verdict of the jury, Mr. Dowling takes it for granted that he was not, and inveighs, in no measured terms, on the cool deliberate malice of the writer behind the scenes, who, forsooth, could not plead excitement, who had no right to feel in the matter at all, and who, if His Honour could only have got hold of him (ay, there was the pity!) would have been visited with a measure of punishment unexampled in the history of Courts of Justice. Admirable logician! Let us suppose, however, that the writer of the remarks had also been the writer of the famous *jeu d'esprit* out of which this whole affair has arisen, and that that *jeu d'esprit* had been written for the express purpose of inflicting needful castigation on a most conspicuous and notorious offender in this community, whose example was as contagious as his practice was infamous, and whom there was no other possible means of bringing to condign punishment,—what in such a case were the circumstances of that individual, when applied to to write a few observations on the issue of the trial which had just been concluded as this paper was going to press? Why, the *jeu d'esprit* we allude to had subjected the editor of this paper to a brutal assault at noon-day in the public street, the very report of which had, in the case of his virtuous wife, been attended with such trepidation and alarm as to be followed with distressing effects, to which delicacy forbids us to allude more particularly! On applying, moreover, to a Court of Justice for a legal remedy for that assault, the aggrieved and injured party is insulted with a verdict, which

through the demoralizing example of unprincipled and profligate men, will at no distant day become the source

their Honours themselves have characterised as altogether *unwarranted* by the evidence adduced, which certain respectable practitioners in the Supreme Court have designated as *infamous*, which many reputable and intelligent persons out of Court have styled *iniquitous*, but which we ourselves, being under legal *surveillance* at present, will only call *outrageous* ! Nay, and to give edge to the insult, and to make the triumph of rampant iniquity to be felt by the victim of that verdict, he is threatened with a second outrage on the very threshold of the Supreme Court ! In such circumstances the writer of the *jeu d'esprit* must have had 'the heart of a beast,' (to use a Norfolk Island expression,) if he had not felt exceedingly, and if he had not manifested that feeling in some way or other, in the few observations he was applied to to write on the subject of the verdict, at seeing a reputable family subjected to such unmerited indignity, to such mental suffering through his instrumentality. The writer of these observations was 'no disappointed suitor,' as His Honour Judge Dowling most inaccurately described him, in regard to the mere amount of damages awarded ; for in that award he had no pecuniary interest, either direct or indirect. But he was interested in the award of damages in another and much more creditable way, inasmuch as that award was tantamount to a declaration on the part of the jury, that in the brutal assault which had been perpetrated upon him by Mr. J. T. Wilson, and which had been attended with such effects as we have alluded to, Mr. Bull had sustained no injury whatever, had suffered no wrong. A man of a rightly-constituted mind will always feel tenfold more keenly at any injury inflicted on others on his account than at his own wrongs. The writer of the remarks can therefore afford to sit entirely at his ease under Mr. Justice Dowling's castigations.

"In regard to these remarks themselves, we do not pretend to infallibility. We certainly had no intention to write any thing that could either be construed into a contempt of Court, or calculated to diminish the respect of the public for the administration of justice. But as our remarks had such a construction put upon them by the Court, we submitted, of course, and expressed our willingness to make every apology. In short, we bowed submission to their Honours, saying in effect, *Humanum est errare*. And how much more dignified, we ask, would it not have been for their Honours to have received that submission under all the circumstances of the case in good part, dismissing the alleged

of a salutary moral influence to the numerous and semi-barbarous nations of the Southern Hemisphere. In the course of a recent examination,—in a quarter, however, to which it would be *a breach of privilege* to allude more

offender with a reprimand as strong as they liked, and adding with the same *heathen* authority to which we are indebted for the maxim we have quoted, *ignoscere divinum!* Such a decision, we conceive, would have tended much more powerfully and unequivocally to inspire respect for the administration of justice, than a fine of £100 to the King, and to give personal security besides for £200, and to find two sureties for £100 each, for good behaviour for two years—an award which had the effect of tearing the editor of this paper from the bosom of his injured family, and consigning him to a cold damp apartment in the common jail of Sydney, in the middle of an unusually cold winter, till the said fine was paid and the sureties obtained. Such severity, we beg to inform His Honour the Chief Justice, to whose remarks in the course of the trial we cannot help ascribing the verdict of the Jury, as well as all that followed it, uniformly falls short of its object, wherever British feelings, and that innate sense of justice with which they are uniformly accompanied, are to be found. This has been remarkably evinced in the present instance; for within twenty-four hours of the time when the astounding sentence of the Court became generally known, Mr. Bull was liberated from confinement, and the fine paid by a generous public; two of whom subscribed themselves “Enemies of injustice,” three “Friends of morality,” one “The father of a family,” one “a Friend to the oppressed,” and one “A Friend indeed,” vindicating his well-merited title to the appellation by subscribing towards the payment of the fine, not less than £20.

“As we are altogether at issue, however, with their Honours in regard to the character and tendency of our remarks, and as the Supreme Court of New South Wales is necessarily the highest Court in this colony, we shall take special care to refer the whole matter, from first to last, to a higher Court still; we mean the British public. From that high-minded, generous-hearted and virtuous tribunal, we are confident that our own well-meant efforts for the cause of virtue in this colony—efforts unparralleled, we have reason to believe, in the history of British colonies—will receive a very different award from a fine of £100 to the King, and imprisonment in a common jail till it be paid.”

particularly,—the prosecutions and other legal proceedings to which ‘The Colonist’ journal had been subjected, in consequence of its advocacy of the best interests of that colony, were enumerated with a considerable display of zeal by the accredited parliamentary agent of O’Shaughnessy and his peers, evidently with a view to disparage the moral character and influence of that journal. So far, however, from wishing to conceal any thing of that kind,—connected as I was avowedly for some time with the journal in question,—I have no hesitation in voluntarily affording the reader the additional information, that in consequence of that connexion I was in one instance threatened with personal violence, from which I had to ask protection from the colonial police, while in another dark hints were actually thrown out by the *employés* and supporters of the convict and emancipist press of the colony, that the stiletto itself would be had recourse to if other means were found unavailing to silence ‘The Colonist.’ But are honest men, who are conscious that their sole object is the reformation of a whole community, to be deterred from pursuing that object of transcendent importance by such menaces as these? In such a struggle as the one in which ‘The Colonist’ has been engaged *for the general advancement of society* in His Majesty’s colony of New South Wales, every additional hour that the contest could be maintained afforded an additional assurance of ultimate success—every defeat was the prelude of victory.



## CHAPTER X.\*

EMIGRATION; OR, THE VALUE AND IMPORTANCE  
OF THE COLONY OF NEW SOUTH WALES TO  
GREAT BRITAIN AS A PRACTICABLE AND IN-  
EXPENSIVE OUTLET FOR HER SURPLUS POPU-  
LATION.

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The wealth and strength of a country are its population, and the best part of that population are the cultivators of the soil.

PRESIDENT JACKSON'S Message to Congress, December, 1832.

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“ In the year 1831 His Majesty's government were induced, on the representations of certain philanthropic persons in England, to discontinue the practice of making free grants of land to free emigrants in the Australian colonies, and to order that all Crown land in these colonies should thenceforward be sold by public auction, on being applied for by intending purchasers; (the upset or minimum price to be five shillings per acre;) and that the revenue arising from all such sales of land should be devoted exclusively towards the encouragement and promotion of emigration. Numerous and strong objections were advanced

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\* Part of this chapter has been copied from the work already referred to—‘Transportation and Colonization.’

at the time both in Great Britain and in New South Wales against this change of system ; and it was long and loudly asserted, that the proposed arrangement would completely put a stop to emigration, and that no revenue of any amount could ever be realized from the sale of waste land in the colonial territory. I am happy to state, however, that these objections have all proved unfounded, and that the system of selling land has already enabled the colonial government to realize a large and rapidly increasing revenue from that source ; the future and exclusive appropriation of which to the encouragement and promotion of emigration promises not only to supply the free colonists of New South Wales with free labour to any extent, but to introduce an entirely new era in the colonial history of the empire, by rendering those transmarine and expensive appendages of the country, which have hitherto been regarded as drags and dead weights upon its body politic, of which it has sometimes even been represented as inexpedient to retain possession, useful and inexpensive outlets for its superabundant population, and sources of employment and wealth to all classes of its inhabitants, to an extent never dreamt of even by the most sanguine speculators.

“ At the time when the granting system was superseded by that of selling Crown land by public auction in the Australian colonies, the colony of New South Wales was slowly recovering from the effects of a severe and protracted drought, as well as from an unprecedented depreciation of property of all kinds, induced by extensive and ruinous speculations in sheep and cattle during the years 1826 and 1827. From these unforeseen and calamitous circumstances many of the colonists were deeply involved in debt, and many estates of great extent and value were, from time to time, disposed of at Sheriffs’ sales for much less than the minimum price of Crown land established by government. In such circumstances, it was not to be expected that a large extent of such land could be disposed of for some time, even at the minimum price ; and accordingly the purchasers were at first very limited. In proportion, however, as the colonists began to recover their ground, and especially when the rapid increase of their flocks and herds rendered the extension of their estates, by the purchase of additional tracts of waste land from the government, absolutely necessary, these purchases increased with great rapidity, insomuch that the revenue arising exclusively from the sale of Crown land in the territory of New South Wales already amounts to £120,000 per annum ; the following being the amount realized by the colonial government for Crown land sold in the colony, from the first of January, 1832, to the 30th of September, 1836.

## LANDS SOLD BY THE GOVERNMENT,

From the 1st of January to the 30th of June, 1836.

## LANDS.

	Number of acres			Amount sold for		
January	36,960	0	0	£12,358	12	9
February	5,027	0	30	2,080	12	3
March	38,872	0	0	13,429	6	1
April	49,325	2	10	15,439	0	1
May	23,728	0	25	7,137	18	3
June	15,951	0	0	4,440	7	6
Total No. of acres	169,933	3	25	£54,885	16	11

## TOWN ALLOTMENTS.

January	16	1	0	£576	18	4
February	8	0	0	121	0	0
March	17	2	0	550	13	4
May	28	0	37	1,919	11	6
June	11	0	0	25	6	8
Total No. of acres	80	3	37	£3,193	9	10
Total for the six months	170,014	3	22	£58,079	6	9
Land and town allotments sold during the quarter ending 30th Sept. 1836.	Extent not ascertained.			£32,884	0	0
Total for nine months				£90,963	6	9

Extent and proceeds of land sold in New South Wales during the years  
under mentioned.

Year	Extent in acres			Amount		
1832	20,860	1	15	£6,513	11	6
1833	29,001	2	3	12,528	0	8
1834	91,399	1	31½	28,589	10	5
1835	271,945	2	3¼	87,997	9	2
1836	Extent not ascertained			90,963	6	9
till 30th Sept.	Or at the rate of £120,000 per annum.					

This amount, however, large as it is beyond all reasonable anticipation, is likely to be greatly increased in the course of the next few years, from the rapid extension of colonization within the territory of New South Wales. The colonial boundary having been extended within the last few months to the southern extremity of the Australian continent, and a settlement having been actually formed by authority at Port Philip, in Bass' Straits, a vast extent of eligible land of the first quality has been thrown open to the numerous intending purchasers, who had already taken temporary possession of large tracts for their rapidly increasing flocks and herds, both in that district and at Twofold Bay.

“ In the former of these localities,—in which a government settlement was formed and speedily abandoned, through some extraordinary and unaccountable mismanagement, in the year 1804,—a settlement of squatters from Van Dieman's Land has been formed during the last two years; and so highly eligible has the situation been found for a permanent settlement, that it already contains a population of 200 persons, possessing or having the management of 30,000 sheep, with a proportionable number of horses and cattle. The whole of this agricultural stock and population has been imported into Port Philip from Van Dieman's Land during the last two years or thereabouts; there being now no fewer than eight or ten colonial vessels constantly employed in the transport of stock of all kinds to that settlement from Hobart Town and Launceston. The extent of available land of the first quality, which has already been discovered in the immediate vicinity of Port Philip, amounts to upwards of three millions of acres.

“ The extensive tract of table-land lying beyond the present colonial boundary to the southward, between the Great Warragong Chain, terminating in Wilson's Promontory, and now called the Snowy Mountains, or Australian Alps, and the mountainous range abutting on the east coast, is also occupied at present by numerous squatters, with large flocks and herds from New South Wales. This elevated tract of country is called Maneira, or Monaroo Plains, and consists of eligible pasture-land of the first quality, very thinly wooded and well watered;



forming a square of a hundred miles each side, and consequently containing upwards of six millions of acres, having for its outlet to the eastward the small but convenient and safe harbour of Twofold Bay, about twenty-five miles to the northward of Cape Howe. The nature of the country still farther to the southward, from Cape Howe to Wilson's Promontory, a distance of a hundred and eighty miles, is still unknown. The Snowy River skirting the plains to the westward, and sweeping along the base of the Snowy Mountains, descends into Bass' Straits on this part of the coast, forming numerous cataracts in its course; its *embouchure*, if I am not misinformed, being sufficiently wide and open to be practicable for colonial vessels.

“ The extensive tract of picturesque and pastoral country still farther to the westward, along the left bank of the Murrumbidgee, which is at present the boundary of the colony to the southward and westward, is also occupied for pastoral purposes by numerous colonial squatters from within the present limits of the colony. These squatters are all rapidly increasing their flocks and herds, and thereby enriching themselves through the permissive occupancy of the Crown land beyond the present limits,—a privilege which has hitherto been most judiciously allowed them by the colonial executive: for these persons are thus acquiring the means of making extensive purchases of land from the government in their respective localities, whenever the colonial boundary shall have been extended to Bass' Straits; and are thus forming an important link in the new chain or system of Australian colonization.”

To the north-westward of Port Philip, a tract of land of much greater extent than any of the three sections of the colonial territory I have already indicated, and of the highest promise both as to soil and climate, has very recently been discovered by Major Mitchell, the surveyor-general of the colony. On his former expedition that able officer had left 130 miles of the supposed course of the Darling river unexplored; and in the more recent expedition to which I have just referred, after tracing that river to the spot where Captain Sturt had found a large river, which he rightly supposed to be the Darling, emptying itself into the

Murray or Murrumbidgee, Major Mitchell crossed the latter river and then pursued a direct course to the Southern coast at Portland Bay, situated between Port Philip and Kangaroo island. In the course of this journey, Major Mitchell was fortunate enough to discover a region to which he has given the name of "Australia Felix," and which will doubtless be soon thrown open to advancing colonization—"a region," to use the words of his own dispatch, "of vast resources, and the most varied and fascinating description, more extensive than Great Britain, equally rich in point of soil, and which is now ready for the plough, as if especially prepared by the Creator for the industrious hands of Englishmen."

"Now, as it is equally the interest of the British government and of the colonial executive, as well as of all classes of free colonists in New South Wales, that the revenue arising from the sale of Crown land in that colony should be as large as possible, and that the number of free emigrant agricultural labourers, shepherds, and mechanics, which this revenue has been appropriated to import into the colonial territory, should also be increased to the utmost; I would beg leave to suggest that the minimum price of all Crown land in the colony should henceforth be raised to seven shillings and sixpence, and, in particular districts, to ten shillings per acre. A large proportion of the land recently purchased by resident proprietors in New South Wales, in extension of their respective estates, would have been purchased at these rates as readily as at five shillings; for much of the land hitherto sold at the government minimum price has been purchased on speculation, to be afterwards resold at a greatly advanced price. Good land, whether for agriculture or for grazing purposes, especially in such vicinities as Twofold Bay and Port Philip, is well worth ten shillings an acre, and the colonial proprietors of sheep and cattle are well able to afford that price. Nay, Mr. Commissioner Bigge, in his Report to the House of Commons on the agriculture of the colony in the year 1821, recommended that good land in New South Wales should then be sold at

not less than ten shillings per acre ; and if the colonial settler could have afforded such a price at that period, much more will he be able to afford it now. Besides, it would be positively unjust for the British government to be selling waste land at Port Philip at a minimum price of five shillings per acre, when the minimum within the limits of the South Australian colony, almost in its immediate vicinity, has been fixed by Act of Parliament at twelve shillings ; a minimum, which the colonization commissioners of that colony have since increased to one pound : for as the price of all descriptions of agricultural and grazing stock, as well as of the necessaries of life, will for some time be much cheaper at Port Philip than in Southern Australia, it is not to be supposed that a prudent capitalist, arriving in the latter colony, would be deterred from crossing the meridional line that separates the one colonial territory from the other, when the comparative advantages of the two localities are in all these important respects—the price of land, of stock, and of provisions,—so very dissimilar. That line will soon be crossed in every part of its extent by sheep and cattle tracks innumerable, from the territory of New South Wales ; and the emancipist, the ticket of leave man, and even the convict still in bondage, will ere long find their way across it into the land of freedom, let the colonists of Southern Australia do what they may to prevent them. In justice, therefore, to the inhabitants of that infant colony, His Majesty's government will undoubtedly be eventually constrained to raise the minimum price of land in New South Wales ; and the sooner they do so, the more effectually will they protect the interests of the embryo colony. For it cannot be supposed, that in the present age of steam conveyance, any great inequality in the price of land, any more than in the price of labour or in that of provisions, can possibly be maintained long between two settlements so easily accessible from each other both by sea and land, however differently they may have been originally constituted in other respects.\*

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\* It is the general desire, however, of the free colonists of New South Wales, and it has also been a special recommendation of a committee of the Legislative Council of that colony, with a view to the encouragement and promotion of emigration to its extensive territory, that respectable free emigrants arriving from England at their own charges, with the view of settling in the colony, should each be allowed to purchase one or two sections, that is, 640 or 1280 acres of waste or Crown land, at the established minimum price, wherever they can find an eligible locality, without being liable to the mortification and disappointment of being out-

“ But there is also a large increase of the land revenue of New South Wales to be expected from the sale of town allotments. In a letter, which I did myself the honour to address to Lord Viscount Goderich in December, 1830, previous to the adoption of the present system of selling land, (and in which I took the liberty to recommend that the government should sell certain Crown lands and town allotments in that colony, and appropriate the proceeds towards the emigration of agricultural labourers and mechanics, of whom a large number were then in great difficulty from want of employment in England,) I pointed out certain town allotments belonging to government in the town of Sydney, which I conceived would at that time realize £200,000. Measures are now in progress for the sale of these allotments, of which, from the greatly increased value of property in the colonial capital, the present value has been estimated by competent persons at not less than half a million sterling. Besides, the formation of towns at Twofold Bay and Port Philip, which must necessarily become sea-ports of first-rate importance within a very short period, as well as in various other parts of the territory, will enable the colonial executive greatly to increase the land revenue, from the sale of town allotments. The minimum or upset price of town allotments belonging to government in the town of Sydney is at present £1000 per acre, the price actually realized by private individuals for eligible allotments during the last few years being uniformly much higher. In the future towns of Twofold Bay and Port Philip, £50 or £100 per acre would, I am confident, be a very moderate amount to be established as a minimum price; as even at Bathurst, a rising town beyond the Blue Mountains in the interior, £50 an acre has been obtained for town allotments. The present minimum price in Parramatta, the second town in the colony, is £20, but the allotment obtained from government for the Scots church in that town during the year 1835 has been since valued at £1000, although not more than half an acre; and in the town of Maitland at Hunter's River, where £7 an acre is the minimum price, a half-acre allotment has brought £56.

“ At all events, it may be calculated that the revenue arising from the

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bidden at a public sale by some colonial land-shark, after all their trouble and annoyance in traversing the country, perhaps for months together. It is also the desire of the colonists generally, and the recommendation of a committee of the Legislative Council, that every such emigrant should also be allowed a certain drawback from the purchase-money of his land, to cover the expense of the passage out. In the propriety of both these suggestions I entirely concur.



sale of land in New South Wales will very shortly amount to £200,000 per annum; and if that revenue is exclusively appropriated to the introduction of useful emigrants of the working classes into the colony, it will enable the free colonists to import a sufficient number of virtuous and industrious labourers, artisans, and other operatives of all descriptions, not only to supply the existing and rapidly increasing demand for labour in the colony, but also to form a reputable free emigrant peasantry, to cultivate the soil, either as tenants or as small proprietors and a middle class, consisting of reputable mechanics and other operatives in the towns; thereby gradually elevating the moral character of the colony, and supplying the likeliest means of insuring the progressive amelioration of its anomalously constituted society.

“To encourage and promote the importation of free labour, in accordance with the views and intentions of His Majesty’s government as above mentioned, the colonial executive give a bounty of £30 from the colonial land revenue for every married couple, of the class of agricultural labourers, shepherds, or mechanics, imported into New South Wales, provided the persons so imported have been selected by some agent duly authorized by a colonial proprietor; five pounds additional being allowed for every child above a year old. On a large scale, this sum would probably be sufficient to cover the whole expense of the emigration of such persons; but the system has not yet been sufficiently long in operation for the colonists to have adopted any plan for carrying it into effect with combined exertion; and the expense to individuals is consequently somewhat larger than the sum allowed.

“In regard to the probability of finding a sufficient number of virtuous and industrious persons in the mother country willing to emigrate to New South Wales, there can be no doubt whatever on the subject. It is well known that distress, arising from the want of food and clothing and fuel, or rather from the want of remunerating employment for an overgrown population, prevails at this moment to a most appalling degree over an extent of country in the Highlands and Islands of Scotland, containing a population of 160,000 souls; and the only means of affording permanent relief to that population, in the opinion of all parties interested in the subject, is emigration.”

Having been apprised of the lamentable state of destitution to which so many of our fellow countrymen are thus reduced, from the details given at a public meeting held in London in the month of March last, I ad-

dressed a letter to the Deputation \* which had been sent from Scotland to represent their actual condition to His Majesty's government, as well as to the public generally ; pointing out the capabilities of the colony of New South Wales as a country to which an extensive emigration could immediately be effected through the colonial land fund, without expense to the mother country. On the receipt of that letter, the deputation applied to the Right Honourable the Secretary of State for the Colonies, for the requisite advances from the colonial treasury, to enable them to send out six thousand of the distressed Highlanders and Islanders of Scotland, including men, women, and children, to New South Wales. Lord Glenelg, I am happy to state, entered into the views of the deputation with the utmost cordiality, and agreed, on the part of His Majesty's government, to send out three ships, to carry about a thousand of the distressed Highlanders, in the first instance, to the Australian colonies ; one to Van Dieman's Land, and two to New South Wales. The letter I allude to has since been published by the deputation for circulation in the Highlands of Scotland : the three ships are actually on their way to their destination ; and I am happy to be enabled to add, that this auspicious commencement of a Celtic emigration to the Australian colonies already promises to lead to the happiest results.

\* Consisting of the Rev. Dr. M'Leod, late Moderator of the General Assembly of the Church of Scotland ; John Bowie, Esq. W. S., Edinburgh ; and C. Baird, Esq., Solicitor, Glasgow.

“The inhabitants of the Highlands and Islands of Scotland have peculiar claims on the British government. They have uniformly supplied a large proportion of the gallant men who have fought the battles of their country for a century past. The destitution they are suffering at present has been induced, moreover, in a great degree by a government measure in favour of the free-trade principle; the result of which was the immediate and entire destruction of their only manufacture—that of kelp. They are a frugal and industrious people,—eminently virtuous and religious; and I need scarcely state, that whether as agricultural labourers or as shepherds, they would be peculiarly welcome, and would be sure to find immediate employment and sufficient subsistence in New South Wales. In short, that colony could very easily find room for not fewer than from five to ten thousand Highlanders, including men, women, and children, every year. Then it is difficult to say whether Great Britain would be more benefited on the one hand by the gradual removal of such persons from a country that cannot possibly support one half their number, than the colony of New South Wales on the other, by their progressive settlement in its ample and fertile territory.

“Supposing therefore that a voluntary emigration of virtuous and industrious families and individuals is henceforth to take place to the territory of New South Wales, to the full extent to which the land revenue of that colony can be made available, it may not be out of place to estimate the future probable amount of that emigration, and the benefits which the land-selling system will thus be the means of securing both to the mother country and to the colony. The land revenue of New South Wales amounts at present to upwards of £100,000 per annum, but will probably be increased very shortly to double that amount. That revenue, it should be observed, however, is almost exclusively of colonial creation, upwards of nine-tenths of its whole amount being received for purchases of land and town allotments, made in extension of their former possessions, by residents of some standing in the colony, who have acquired the means of making such purchases chiefly by the rearing of sheep and the growth of wool. And it should also be borne in mind, that before the £100,000 has been paid into the colonial treasury chest, for the land so purchased, the carriage of the wool and other colonial produce, of which it has been the price, from New South Wales to London, has afforded profitable employment for six months to at least four British ships of 350 tons register, with crews of twenty men each. At the rate of £30 for each family, the amount of bounty recently fixed by the colonial executive,

exclusive of children, the present colonial land revenue will pay for the annual emigration of three thousand three hundred families of farm labourers, shepherds, and mechanics, from Great Britain and Ireland. Now at the rate of one hundred families for each ship, a number which would require a vessel of 500 tons, the conveyance of these families to their colonial destination will afford profitable employment for six months together to thirty-three first class British merchant-ships, having crews of twenty-five or thirty men each, entirely at the expense of the colony of New South Wales; the profits of the voyage, including the outfit and provisions, being exclusively appropriated by British merchants. As for the emigrants themselves, they consist of families and individuals, who, before leaving the mother country, are in all likelihood a dead weight on the community; as they can only obtain subsistence by elbowing out of employment other deserving individuals of the same class, whose circumstances will consequently be greatly improved by their emigration; or by reducing the wages of labour generally below the proper standard for the comfortable subsistence and education of a virtuous family. In all these respects, therefore, the value of such a colony as New South Wales to the mother country, whether as a cheap and practicable outlet for her surplus labouring population, or as a source of profitable employment for her commercial navy, is evident and incalculable.

“ On their arrival in New South Wales, the emigrants will be employed for the most part as farm-servants, shepherds, overseers, handicraftsmen; and in any one of these situations they will be able to live in the enjoyment of many of the comforts and conveniences of life, of which a large proportion of the industrious classes of society in England are deprived through sheer poverty. Their much higher rate of wages, and their other superior opportunities of accumulating property, will also enable them, if at all industrious and frugal, eventually to become proprietors of sheep and cattle, houses and land. They will thus materially augment the capital and raw produce, as well as the population of the colony, and assist in developing its vast resources; while, besides consuming probably four times the amount of British manufactures that labourers of a similar class can afford to purchase in the mother country, they will contribute to sustain the vast fabric of British commerce, by also paying for the freight of these manufactures from England in British vessels.

“ In a moral and religious light, the introduction of a numerous and virtuous free emigrant population into the colony of New South Wales cannot fail to afford a highly gratifying prospect to all who are sincerely desirous of promoting the best interests of that important dependency



of the empire. I acknowledge, indeed, that if things had continued to be carried on in the colony in the way in which they have hitherto been managed, the free emigrants themselves would have had but a sorry prospect for the future in regard to their own spiritual welfare, and the intellectual and moral improvement of their offspring: but now that every hundred free adults can obtain a salary of £100 per annum from the colonial government for the support of a clergyman of their own communion, in whatever part of the colony they may choose to settle, besides liberal assistance for the establishment of a school for their children, there is evidently much less to be feared in these important respects,—nay, there is every thing to be hoped for the future.

“ From the preceding enumeration of the benefits that are likely to accrue, both to the mother country and to the colony of New South Wales, from the future and exclusive appropriation of the land revenue of that colony towards the encouragement and promotion of emigration, it will be difficult to determine whether the mother country or the colony is likely to reap the greater advantage from that admirable arrangement. To Great Britain, whose ministers of state and parliamentary committees have, on the recurrence of every periodical return of difficulties and distress among her labouring population, arising from the want of food and the want of employment, been holding endless consultations, accumulating volumes of evidence, and ever and anon devising ways and means of carrying off the surplus portion of that miserable population to a land of duly-requited labour, and of abundance of the necessaries of life;—to Great Britain, so circumstanced, it cannot surely be a matter of indifference to find a revenue suddenly created for that very purpose, independently of her own internal taxation, in the woods and wilds of New Holland,—a revenue, moreover, annually increasing, and of which the very expenditure in this way insures the constant and rapid increase. With such a system in actual operation, who can doubt the policy of the maxim of Napoleon,—‘Ships, Colonies, and Commerce,’—as it is thus the legitimate use of a well-regulated colony to afford profitable employment to numerous ships, and a powerful stimulus to commerce and manufactures?”

There are ten thousand localities, both on the coast and in the interior of the Australian continent, in which flourishing settlements might be gradually, and indeed rapidly, formed, by carrying out the important principle

now adopted by His Majesty's Government, in regard to the alienation of Crown land in the Australian colonies, to the full extent to which it may be easily carried.

“Little as we know of the capabilities and resources of that continent, this at least can be affirmed with safety. And with a coast line six times more extensive than that of the whole thirteen colonies that revolted from Great Britain on the declaration of American independence, and numerous harbours along that extensive line of coast, equal, if not superior, to any in North America—with a range of climate, and a fertile soil adequate to the production of all the products of American agriculture, in addition to its own peculiar and unrivalled production, fine wool,—it is impossible to estimate the stimulus that would be given to the manufacturing industry and the commercial enterprise of Great Britain, by the rapid colonization of that continent with virtuous and industrious free emigrants from Great Britain and Ireland. For within a period of time comparatively short, a population of entirely European origin, as numerous as that of the thirteen American colonies in the year 1776, might be successfully established on the continent and islands of Australasia, whose industry and enterprise would afford constant employment to thousands of British ships, and to tens of thousands of British sailors, artisans, merchants, and manufacturers.”

In regard to the manner in which emigration to New South Wales may be extensively effected, so as to ensure the furtherance of the general welfare of the colony and the economical and judicious expenditure of its land revenue, there can be no difficulty whatever. Indignant and disgusted at the manner in which the best interests of the colony had been sacrificed for years together, to subserve the private interests of an unprincipled London jobber in the matter of female emigration, the colonial government, after entering their protest against the continuance of that notable system, which was actually filling the colony with prostitutes and

threatening to demoralize the uncorrupted portion of its population, authorised three surgeons of the royal navy, who had all acquired much experience as surgeon superintendents of convict ships, to proceed to the mother country—one to England, one to Scotland, and one to Ireland—to select each an hundred families of mechanics for the erection of certain government buildings in New South Wales. These gentlemen accordingly proceeded to their respective stations; advertised their object in the nearest provincial papers, offering a free passage-out to New South Wales to intending emigrants of the descriptions required; selected from the list of applicants those whom they deemed fittest for the purpose, and, on completing their number, advertised for ships to carry them out, and for rations for the emigrants, according to a fixed scale, during the voyage. By this judicious arrangement there was no room left for jobbing, no inducement to send out disreputable characters with a view to get the ships filled, as had been repeatedly done in the case of Mr. Marshall's vessels, while every thing was done to promote the comfort of the emigrants. A similar course has been pursued, under the direction of His Majesty's government in effecting the emigration now in progress from the Highlands and Islands of Scotland; and the most beneficial results may accordingly be anticipated.

The colonial land-selling system, which has already given rise to these interesting and important operations, is not merely introducing a new era in the history of British colonization, but, by affording the means of transforming the surplus and comparatively useless

population of the mother country into the sturdy and independent yeomanry of the colonies, is enabling Great Britain to pursue a course the most profitable to herself and her colonies, and the most interesting to the genuine philanthropist.

The lover of military glory will naturally delight to contemplate the British nation as a warlike nation, and will doubtless point with a feeling of exultation to the laurels of Trafalgar and Waterloo. It may be questioned, however, whether posterity are destined to reap any real advantages from either of these great victories, or whether the vast accession of military glory they were the means of acquiring for the nation was not achieved at too great a sacrifice of national principle, as well as too great an expenditure of national blood and national treasure. Besides, there are numerous indications, in the present aspect of affairs in Great Britain and Ireland, of that retributive justice, which, as it takes cognizance of nations as well as of individuals, will assuredly afflict the nations that delight in war, and eventually stain the pride of all their military glory.

The political economist, on the other hand, will doubtless regard the commercial and manufacturing resources of the British nation as a far broader and far firmer basis for the perpetuity of its existence and the perpetuity of its fame. But the history of the world supplies us with many precedents for regarding it as a possible case, that the spirit of commercial enterprise may in some future age be diverted to other shores, and that the goodly fabric of the manufacturing wealth and



prosperity of Britain may fall at some future period as rapidly as it rose.

But when we regard Great Britain—in the light in which the colonial land-selling system will enable us to regard her—as the planter of colonies, the mother of nations, “the nurser of men,” we see her in a point of view in which there are no gloomy shadows to darken the light of her glory; we see her fame resting on a basis too firm and too permanent to be affected by the revolutions of empires; and we feel assured that her name and her memorial will continue illustrious while the race of man inhabits the earth.

Suppose for a moment, that in some future age Great Britain herself should become the scene of *perpetual desolations*, and that some Christian philanthropist from some distant land should be induced to visit her deserted shores; he would doubtless regard the ruined monuments of her military glory and her commercial greatness—were there nothing else to arrest his attention—with the tear of pity or the smile of contempt; and he would doubtless exclaim, “What! art thou too, thou Queen of nations! thou haven of ships! art thou also become as Babylon and Tyrus? How are the mighty fallen, and their glory departed!” But should he be enabled to look beyond the wide Atlantic to the vast continent of America, and there to behold a hundred millions of the descendants of Britons still speaking the language, and governed by the laws, and cherishing the religion of the long-deserted isle—should he be enabled to witness a scene equally cheering to philan-

thropy at the southern extremity of Africa—nay, should he be enabled to behold at the uttermost ends of the earth a third great nation sprung from the same prolific source on the continent of New Holland, and sending forth scions every successive year to the ten thousand isles of the boundless Pacific ; methinks he would regard every object around him with a feeling approaching to religious veneration ; and the stones and the dust of Britain would be as pleasant and as dear to the traveller as those of Zion to the Jew.

Let no cold-blooded political economist, therefore, presume to reason down the propriety of emigration, so as to deter virtuous and industrious families and individuals from adopting that expedient, or to prevent the British Government from affording them such encouragement and assistance as the colonial land revenue is intended to afford. Let no affected patriotism throw any obstacles in the way of a measure that would enable thousands of such families and individuals to live in comfort and independence abroad, instead of struggling with increasing poverty and privations at home. I should sooner doubt the fact of my own existence, than doubt that the happiness and prosperity of the British nation are indissolubly connected with the pursuance of a course, which Divine Providence has made so clearly imperative, and on which the true glory of the nation so evidently depends.

## APPENDIX.

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### No. 1. Page 214.

Instead of inserting the dispatch referred to in the text, it may be sufficient for the general reader, especially as this volume has already exceeded a reasonable size, to state the following results of Major Mitchell's expedition, from 'The Colonist' of October 22, 1835.

The results of Major Mitchell's recent expedition are interesting in the highest degree to the colony. They may be enumerated as follows:—

1. The fate of the Macquarie river has now been definitively ascertained; the surplus waters of that river finding their way by Duck Creek, rather than, as Captain Sturt supposed, by Morrisett's Ponds and the Castlereagh River, into the channel of the Darling.

2. A practicable route, not only for sheep and cattle, but even for wheel-carriages, has been chalked out and traversed from the Bathurst country to the Darling River, and for 300 miles along the banks of that river, from the point where it receives the waters of the Boga, towards its *embouchure*. There is reason to hope, if not to presume, that the country along the Darling River, for the unexplored portion of its course to its supposed junction with the Murray or the Murrumbidgee, will be equally practicable, or, at least, that the river will in that portion of its course be found available for navigation.

3. During the prevalence of a drought of almost unexampled severity, although but of short duration, in which, moreover, almost every blade of grass disappeared, and sheep and cattle were dying in all directions in the colony, Major Mitchell found both grass and water in sufficiency for his cattle, along the whole course of the Boga river, as well as in the valley of the Darling. Indeed the country along the whole of Major Mitchell's route appears to be available for the sus-

tenance both of man and beast ; and we are happy to have ascertained also, that it abounds with timber suitable for all purposes.

4. The fourth and last result we shall mention of Major Mitchell's recent expedition is the light it has thrown on the botany of the interior. Only two varieties of grass—and these the two usually met with in the colony—were observed along the whole course of the Boga river ; but along the banks of the Darling no fewer than thirty varieties were observed—most of them altogether unknown in the colony. A species of vegetable, which, it is expected, will in future form an important addition to the kitchen garden of Australia, was also found by the expedition in the distant interior. For our own part, we should be sorry to say a single syllable in depreciation of Major Mitchell's cabbage, or whatever else people may choose to call it : but when we consider what sorry fare scientific enthusiasts are sometimes glad to put up with in the bush, we feel strongly disposed to make it a matter of question, whether the heroes of a half-famished expedition of discovery in the interior are the fittest persons in the world to decide as to what is likely to please the palate, or to *ascend me up into the brains* of a Sydney epicure. Till we have an opportunity of trying it ourselves, however, all we shall say of the Boga turnip is *De gustibus non disputandum* ;—These is no disputing about tastes.

There is one particular, however, in which the delicacy of Major Mitchell's taste is unquestionable, and for which he richly deserves the thanks of the whole Australian Republic of Letters. We allude to his uniform substitution of the native names wherever they can be ascertained, for the Gothic barbarism of giving English names to localities of every description in this territory. Captain Sturt's New Year's Creek, for instance, becomes the Boga River in the hands of the Surveyor General. What a change for the better !

*Extracts of the Dispatch of Major Mitchell, dated, Camp on the River Murrumbidgee, October 24, 1836, giving an account of his recent discovery of Australia Felix.*

The first part of the dispatch contains merely an account of the identification of the Upper and Lower Darling, the country being very unpromising. The following is the latter and more interesting part of it :—

“ From the depôt camp to the junction of the Murrumbidgee and Murray, the distance was eight miles, over firm ground ; and for two



miles below the junction (by the river) I moved the whole party across the Murray, with a view to proceed up that river, according to the second part of my instructions.

“ We had proceeded far up this river before the country on its banks appeared much better than any we had seen lower down. Grassy plains extended some way from the river, but were limited by sand-hills covered with cypress-trees and scrubs. We crossed various broad lagoons, apparently the beds of and-branches of the river in seasons of high flood. After several days’ travelling (nearly southward) reeds appeared in extensive flats along the river; and in longitude  $143^{\circ} 40' E.$ , the course of the river being from the S.E., the reeds extended eastward to the horizon. The mean distance of the bergs of sand hills covered with pine, which limited the reedy flat, was there about eight miles across. We soon passed the region of reeds, which, gradually disappearing as we ascended, were replaced by grassy plains.

“ In this vicinity, we came upon a very singular formation, consisting of numerous lakes of salt or brackish water, and which were enclosed by semi-circular ridges on their eastern shores. The largest of these lakes was named Boga, and was six miles in circumference. The river floods having reached this by a small channel, the water in it was sweet, and it was peopled by a very savage tribe, who refused to give us any information, throwing their spears at Piper, who shot one of them.

“ Beyond Boga Lake we crossed some very fine plains; but the main channel of the river we were endeavouring to explore, was no longer accessible, nor even visible, from the numerous branches and still reaches which intersected the alluvial margin; which appeared to be very broad.

“ The extreme western point of a range then appearing in the southern horizon, I proceeded towards it, anxious to know more of the country back from the river. The view I obtained from that summit induced me to direct our course southward, with the intention of returning across the heads of the Murray further to the eastward, where I hoped the hills might afford me the means of extending the survey across the adjacent country: I perceived from the height a distant line of lofty trees, which seemed to mark the course of another river; beyond were the summits of very distant hills, verdant plains variegated with clumps and lines of trees extending westward to the horizon; the whole seeming good pasture land.

“ At about thirty miles from the hill, and on the 144th degree of longitude, we reached a deep but narrow stream, flowing between high

and grassy banks to the westward, at the rate of one mile and a half per hour. Its mean depth was nine feet; in one night, however, it suddenly rose fourteen feet higher, carrying away a rough bridge we had just completed. The aboriginal name of this river is the 'Yarrayne;' the plains beyond it were five miles in breadth, and of the best description. Forests of black-buttèd gum, and casuarinæ, then extended back to the mountains and forest hills: in these forests, instead of novelty, we found the Blue Mountain parrot, and other birds common near Sydney; many of the plants also which grow in Cumberland.

" 'Barrabungale,' a lofty mountain of granite, was the chief point of that range, but, on ascending it, the weather was unfavourable for my observations: a group of open forest hills were connected with Barrabungale, they enclosed vallies richly covered with grass, and all well watered. We passed over many fine tracts, sheltered by open forest hills, and crossed various fine streams, all flowing westward. At length, on the 11th July, I discovered the summits of a noble mountain range of broken and picturesque outline; and by subsequent survey I found that this was the predominant feature of that vast territory, lying between the River Murray and the southern coast, giving birth to numerous streams of convenient width and constant current, by which the surrounding country is watered abundantly. These Grampians of the south are situated between  $36^{\circ} 52'$  and  $37^{\circ} 38'$  of south latitude, and between  $141^{\circ} 55'$  and  $142^{\circ} 47'$  of east longitude; the latter being the longitude of Mount William, the highest and most eastern summit, and on which I passed a night, vainly hoping that the clouds would rise above it.

" Situated thus centrically, this lofty mass, so essential to water the lower country, presents no impediment, like the coast ranges of the settled district, to the formation of roads, and the progress of colonization.

" The principal river flowing under the north side of these mountains is the 'Wimmera,' which has no steep banks, and appears to be a very constant stream. I explored its course to  $142^{\circ}$  of longitude, when it turned to the north-west, leaving me in a country covered with circular lakes, in all of which the water was salt or brackish. These had semi-circular ridges on the eastern side, as in those of Boga, on the Murray, and the land about them was in general very good and grassy, its mean elevation above the sea being about 580 feet.

" From the continued rainy weather the earth was in a very soft state, and this at length became a most serious impediment to the progress of the expedition, the party being unable, even with the greatest exertion,

to proceed through the mud above three miles a day. But for this, I might have returned at least two months ago.

“ When we gained the head of a small ravine falling towards the principal river rising in the Grampians, we found firmer ground, and our progress was much better, although still occasionally impeded by the soft and boggy state of the earth.

“ The river, which I named the ‘ Glenelg,’ flows first westward, and then southward, entering the sea at the deepest part of the bay, between Cape Northumberland and Cape Bridgewater. I explored the last fifty miles of its course in the boats, having left Mr. Stapylton with a dépôt, for I had great reason to hope that it led to some important estuary ; the average width was one hundred yards, the mean depth four fathoms. In this I was, however, disappointed, for the river terminated in a shallow basin within the sand-hummocks of the coast, the outlet being between two low rocky heads, but choked up with the sands of the beach.

“ My route homeward, from the vicinity of the Australian Pyrenees, passed through a country of the most varied and fascinating description. At intervals of fifty or sixty miles, we crossed ranges of granite, through all of which I found passes for the carts across the very lowest parts, reconnoitring the ranges as far as possible in advance. The districts between the different ranges consisted of excellent land, thickly covered with *Danthonia* grass, and well watered.

“ I trust that the results of this expedition will prove satisfactory to His Majesty’s Government, considering the various difficulties surmounted, and the elements with which I have had to contend. Besides establishing the fact of the identity of the Upper and Lower Darling, it has been in my power, under the protection of Providence, to explore the vast natural resources of a region more extensive than Great Britain, equally rich in point of soil, and which now lies ready for the plough in many parts, as if specially prepared by the Creator for the industrious hands of Englishmen.”

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No. 2. Page 272.

*Dispatches on the subject of the Clergy and School Establishments of New South Wales.*

TO THE RIGHT HON. E. G. STANLEY.

Sydney, September 30, 1833.

Sir,

Having lately received the order of the King in Council for dissolving the Church and School Corporation in New South Wales, unaccompanied

by any intimation of the views of His Majesty's Government as to the future maintenance and regulation of Churches and Schools within the colony, I deem it my duty to submit for your consideration such observations upon these important subjects, as my knowledge of the state of the country enables me to offer, and to suggest such arrangements as will, in my opinion, meet with the favour and support of the great majority of the colonists, and thereby promote, with the best assurance of success, the religious instruction and general education of this people.

To enable you, sir, to ascertain more clearly the propriety of the measures I shall have the honour to propose, I would observe, that the inhabitants of this colony are of many different religious persuasions, the followers of the Church of England being the most numerous; but there are also large bodies of Roman Catholics and Presbyterians of the Church of Scotland, besides Protestant Dissenters of many different denominations, having separate places of worship. Of the convicts who have arrived here for the last seven years, about one-third are Irish and Catholic; and if the families of these persons, arriving from Ireland in considerable numbers, are taken into account, it may be stated with some probability of accuracy, that about one-fifth of the whole population of the colony is Catholic. The members of the Church of Scotland form a smaller portion; but are amongst the most respectable of the inhabitants, and are to be found, with fewer exceptions, in the class of free emigrants. For administering the offices of religion to these three principal denominations of Christians, there are, of the Church of England, an archdeacon, fifteen chaplains, and four catechists; of the Church of Scotland, four paid ministers; and of the Romish Church, there are a vicar-general and two priests, at present receiving stipends from Government; but further sums have been voted by the Council for the support of four additional Roman Catholic chaplains, in the next year. The clergy of the Church of England are supported chiefly by payments from the Treasury, and to a small amount by the rent and sale of lands formerly granted to the Church and School Corporation. The charge for the Church of England next year, including that for minor church officers and contingencies of all sorts, is estimated at £11,542. 10*d*. The whole charge on the public treasury for the Church of Scotland for the same period is £600, and for Roman Catholic chaplains and chapels £1500. The Protestant dissenters receive no support from Government beyond some small grants of land made to some of them, as sites upon which to erect their places of worship.

With respect to places of worship, it may be convenient to observe here, that the Church of England possesses at this time, in Sydney and



within forty miles of it, seven stone or brick churches of moderate size but respectable appearance, besides two others of the same description in more remote parts of the colony, and several less permanent buildings in various places. The expense of erecting these houses of worship, I cannot immediately ascertain; but it has been considerable, and has, as I believe, been wholly defrayed by public funds. The Church of Scotland possesses one church of respectable exterior in Sydney, and two or three temporary buildings in the country districts. The Scots Church in Sydney was built by subscription, aided by a loan from this Government amounting to £520, for which a mortgage has been taken on the premises; but no part of the money has yet been repaid. The Church of Scotland has received no other aid for buildings that I can discover. The Roman Catholics possess one large and handsome church in Sydney, not yet completed: in aid of its construction, donations, amounting in all to about £1200, have been at different times granted by this Government.

The sum of £400 (included in that of £1500 before mentioned) has been appropriated by the Council to be paid in the next year, in aid of a similar sum to be raised by private subscriptions for erecting Roman Catholic chapels at Maitland and Campbelltown. A chapel was begun at the latter place as well as at Parramatta some years ago; but neither has been completed from wants of funds.

The chaplains from the Church of England are provided with glebes of 40 acres each, or with a money allowance in lieu, and with houses or lodging money. No advantage of this kind, obtained at the public expense, is possessed by the clergy of the Established Church of Scotland, or by the Roman Catholics, if I except a grant of 40 acres for the use of the Scots Church at Bathurst.

A distribution of support from the Government, of so unequal an amount as that which I have just described, cannot be supposed to be generally acceptable to the colonists, who provide the funds from which this distribution is made. Accordingly, the magnitude of the sums annually granted for the support of the Church of England in New South Wales is very generally complained of; and a petition to the Governor and Legislative Council has been lately prepared at a public meeting, and very numerously signed, praying for a reduction of this expenditure. If the complaint be well founded, as I confess I consider it to be, the recent dissolution of the Church Corporation affords an opportunity for placing upon an equitable footing the support which the principal Christian churches in the colony may, for the present, claim from the public purse. I would, therefore, earnestly recommend to His Majesty's Go-

vernment to take the case into their early consideration, and to adopt such arrangements as may be expected to give general satisfaction to the colonists. I would observe that, in a new country, to which persons of all religious persuasions are invited to resort, it will be impossible to establish a dominant and endowed church without much hostility, and great improbability of its becoming permanent. The inclination of these colonists, which keeps pace with the spirit of the age, is decidedly adverse to such an institution; and I fear the interests of religion would be prejudiced by its establishment. If, on the contrary, support were given, as required, to every one of the three grand divisions of Christians indifferently, and the management of the temporalities of their churches left to themselves, I conceive that the public treasury might in time be relieved of a considerable charge; and, what is of much greater importance, the people would become more attached to their respective churches, and be more willing to listen to and obey the voice of their several pastors.

It may be expected that in addressing you, sir, on this occasion, I should submit some specific arrangements for your consideration. I cannot, without much diffidence, proceed to discharge this duty; but, as I have reason to believe that the outline which follows is in unison with the sentiments of many of the most intelligent of the colonists, I have the less hesitation in laying it before you.

I would propose, that wherever a moderate congregation can be collected throughout the colony, and that a subscription shall have been entered into for building a place of worship and minister's dwelling, amounting to a sum not less than £300, upon application an equal sum shall be issued from the Colonial Treasury in aid of the undertaking; and that the buildings, when completed, and the grounds upon which they stand, whether provided by the subscriber or granted by the Crown, shall be vested in trustees elected by the congregation. These trustees shall have power to dispose of the seats or pews (excepting one-fourth, which shall be reserved as free sittings); and out of the rents, or by means of voluntary subscriptions, the trustees shall provide for the maintenance of church officers, the repairs of the church, minister's dwelling, church-yard, burial-ground and appurtenances, and the contingent expenses connected with the celebration of Divine worship. The buildings thus erected will be, at no other period, a charge upon the public revenue. A chaplain of the creed of the congregation shall then be appointed by the Crown in the manner now practised, and his stipend shall be issued by the Governor at the following rate:—If in the district where the church or chapel to which he shall be appointed is

situated, there be a resident population of one hundred adults, who shall subscribe a declaration setting forth their desire to attend such place of worship, the chaplain shall receive from the Treasury one hundred pounds a year ; if there be two hundred adults, one hundred and fifty pounds ; and if five hundred adults, then two hundred pounds ; which is proposed as the maximum salary to be paid by the Government, to a chaplain of whatever persuasion.

In this way it is imagined that the erection of places of public worship may be obtained wherever a competent congregation can be collected, whilst there will be secured to the officiating clergyman such a moderate stipend as is sufficient for his support, but will not render him independent of his own exertions or the respect of the congregation. These chaplains should be empowered to perform the ceremonies of marriage, baptism, and burial, in their several churches, for moderate fees, and should be secured in the receipt of their stipends, unless removed from their chaplancies for misconduct. The whole of this arrangement, with such further details as shall seem necessary, will require the authority of an Act of the Governor and Council to put it into operation.

The foregoing system may be applied to the existing churches of the establishment, by vesting them and the ministers' houses and glebes in trustees for the purposes before-mentioned ; but the present incumbents should remain with the salaries and advantages they now enjoy, so far as these emoluments have been secured to them by previous engagement with the Government.

For the better discipline of the chaplains of the Church of England, for obtaining the necessary celebration of the rites of ordination and confirmation, and for maintaining the connexion of this church with the metropolitan, I would suggest that the Archdeacon of New South Wales be made a suffragan to the Archbishop of Canterbury, or Bishop of London. The stipend of the present archdeacon is more than sufficient for the proper discharge of this office, and that of his successor might be reduced considerably. The inconvenience attending the dependence of this church on the authority of a bishop placed at the distance of Calcutta from Sydney, is too obvious to require much proof. \* \* \*

The establishment in the colony of a Presbytery of the Church of Scotland, which I had the honour to recommend in my dispatch of the 8th July last, No. 56, will secure the proper discipline of that church ; and the recent appointment of a vicar-general, with whose discretion, character, and morals, I have the greatest reason to be satisfied, will, I hope, effect what is required in the Roman Catholic Church. I am

inclined, however, to think that the salary of £200 a year is too low for the office, and that it might be advantageously raised to £400, to enable the vicar-general to visit frequently the chapels in the interior.

In the foregoing outline I have limited the support of the Government to the three principal Christian congregations in the colony. This limitation may be considered an objection to the plan, as it may be urged, that in granting assistance systematically to more than one church, a claim is given for assistance upon the same principle to every congregation of Dissenters and of Jews. This, however, is an objection to the theory, and is not likely to interfere with the practical benefits of the plan. If it should be thought proper at any future period to extend assistance to other congregations whose members may seem to require it, there will be nothing in the present arrangement to prevent it; or if it shall be deemed more advisable, the proposed system may be established by the local law as it affects the Church of England only, leaving it to the discretion of the Governor and Council to extend a similar provision to such other congregations as shall require it. At this early period of the colony's existence, it is, I think, necessary that the Government should grant pecuniary assistance for the establishment of religious institutions, and take upon itself the nomination of the ministers; or it might happen that the ordinances of Christianity would become altogether neglected, or its tenets perverted by incompetent teachers.

I cannot conclude this subject without expressing a hope, amounting to some degree of confidence, that in laying the foundations of the Christian religion in this young and rising colony, by equal encouragement held out to its professors in their several churches, the people of these persuasions will be united together in one bond of peace, and taught to look up to the Government as their common protector and friend, and that thus there will be secured to the State good subjects, and to society good men.

I shall now beg leave to lay before you a brief account of the schools which have been lately under the superintendence of the Church and School Corporation. The principal of these are the Male and Female Orphan Schools, at the former of which 133 boys are now maintained and educated, at an expense estimated for the year 1834 at £1300; and, at the latter, 174 girls, at an estimated expense of £1500, exclusive of supplies from the land set apart for the use of these schools. The buildings of the Female School are handsome and commodious, and those for the boys are sufficient for the purpose. In both of these schools the children are brought up exclusively in the doctrines of the Church of England. As they are received at a very early age, and those



who are not orphans in the strict meaning of the term, are, for the most part, deserted or neglected by their parents, it is proper that they should be so brought up. There is in Parramatta also a considerable Boarding School, called the King's School, at the head of which is a clergyman of the Church of England, with a salary of £100 a year only, but who has been promised the occupation of a house, to be built at the public expense, to contain from 60 to 80 boarders and day scholars. The house not being built, two are rented in the village by Government, at £80 per annum, in which the master receives at present 54 boarders and 15 day scholars; the former at the rate of £28, and the latter at from £6 to £10 a-year. This arrangement, which originated, I believe, with the late archdeacon, is an expensive one, and the wealthier part of the community will be the greatest gainers by it. The three schools thus described, now are, and will in all probability continue to be, exclusively for the Church of England: they may be supported, and the Orphan Schools extended by means of the income which will, at no great distance of time, be derived from the lands granted under Seal to the Church and School Corporation; and which, on its dissolution, became, by the terms of the charter, vested in the Crown, to be disposed of by His Majesty, his heirs, and successors, "in such manner as shall appear most conducive to the maintenance and promotion of religion, and the education of youth in the said colony." Under these terms the income of the lands may be applied to the support of any of the churches or schools referred to in this dispatch.

The Primary Schools established by the Corporation, which are 35 in number, situated in various parts of the colony, attended, upon an average, by 1248 children of both sexes, are charged in the estimates for 1834, at £2756. These are superintended by the chaplains, and in all of them the Catechism of the Church of England is taught; and although children of other persuasions may and do sometimes attend these schools, they are necessarily considered as belonging to the Church of England. Thus the charge for all the schools of this description for the year 1834 is taken at £5737, to which should be added a vote of the Legislative Council, of £2300, for the site and buildings for the King's School at Parramatta. Nothing has been granted to any Primary School connected with the Church of Scotland, but a loan of £3500 has lately been made by the Government, and secured by mortgage, for aiding the erection of the Scots College. The sum of £800 has been voted for Roman Catholic Schools for the year 1834.

You may thus perceive, sir, the great disproportion which exists in the support given by the state to schools formed for the use of different

denominations of Christians in the colony ; a disproportion not based on the relative numbers of each, but guided, it would seem, by the same principles which have regulated the support afforded to the different churches. It is a subject of very general complaint. I am inclined to think, that schools for the general education of the colonial youth, supported by the government, and regulated after the manner of the Irish schools, which, since the year 1831, receive aid from the public funds, would be suited to the circumstances of this country. I have not the parliamentary papers to refer to, and cannot give those schools their proper designation, but I allude to those in which Christians of all creeds are received, where approved extracts from Scripture are read, but no religious instruction is given by the master or mistress, such being imparted on one day in the week by the ministers of the different religions attending at the school, to instruct their respective flocks. I am certain that the colonists would be well pleased to find their funds liberally pledged to support schools of this description. It would be necessary, however, that government took the lead in their institution, fixing the places from time to time where they should be established as population increased, erecting the school-houses, and appointing well-qualified masters and mistresses, to be brought from England, if required. The salaries of such persons should be liberal, not less than from £100 to £150 per annum. Whatever weekly payments were obtained from the parents of the children who attend these schools should be applied to the repair of the school-houses, and to purchase school-requisites, under the care of local committees. In like manner, infant schools should be established in the towns and other populous places. I may, without fear of contradiction, assert, that in no part of the world is the general education of the people a more sacred and necessary duty of the Government, than in New South Wales. The reasons are too obvious to require that I should state them. The proposed arrangement will, like that for the churches, require a local law.

With respect to the thirty-five Primary or Parish Schools as they are called, established by the Church and School Corporation, I would observe, that they are of no great importance or value ; and I propose, that in proportion as schools for general education are established in the manner I have described, the support of Government should be withdrawn from the Primary Schools, leaving the buildings and furniture to any of the congregations of the Church of England that might choose to maintain the schools at their own expense.

RICHARD BOURKE.

TO HIS EXCELLENCY SIR R. BOURKE, K.C.B.

Downing Street, November 30, 1835.

Sir,

The successive changes which have taken place in His Majesty's Government since the receipt of your dispatch of the 30th September, 1835, No. 76, and the importance of the subject to which it refers, have occasioned a delay in answering it, which I much regret, but which has been in a great measure unavoidable.

Your dispatch had, however, received the serious attention of my predecessors; and since my accession to the office which I have the honour to hold, I have bestowed much consideration on its contents. I have had the advantage of frequent communications with Mr. Archdeacon Broughton, on the Ecclesiastical and Scholastic Establishments in New South Wales, and I have referred to the various communications on the same topic, which have taken place from time to time between the local authorities and my predecessors in this department.

His Majesty's Government are deeply sensible of the importance of the subject thus brought under their consideration. They fully concur with you in the opinion that in no part of the world is the general education of the people a more sacred and necessary duty of the Government, than in New South Wales. With a view not only to higher interests, but also to the good order and social improvement of the colony, too great a value can scarcely be set upon the promotion, by all means, of those habits and principles which tend so eminently to elevate the human character, and to oppose the firmest obstacle to crime and immorality. The only question is, that of the most effectual mode of attaining this end, regard being had to the condition of the colony and the sentiments of the inhabitants, for whose benefit and at whose expense the instruction is to be provided.

With reference to this question, I have much pleasure in offering to you, on their part and my own, the acknowledgement of His Majesty's Government for the full and clear statement which you have transmitted to them of the existing means of religious instruction and education in connexion with the wants and circumstances of the colony, and also for the suggestions with which you have followed up that statement. To these suggestions His Majesty's Government, bearing in mind your local experience, and influenced by the general confidence which they place in your judgment, are disposed to attach great importance.

A general principle to which I am anxious to adhere on this, as on

other matters affecting the internal interests of the colony, is, that the details of the measures to be adopted should be left to the decision of that body, to which, by the existing constitution, legislative powers are entrusted, and which must be supposed to be best informed as to the wants of the population, and the most efficient and satisfactory means of supplying them. I am disposed, therefore, to commit to the Governor and the Legislative Council, the task of suggesting and enacting such laws and regulations for the distribution and appropriation of the funds applicable to the general purposes of religion and education, as they consider best adapted to the exigences of the colony. I feel it, however, a duty to offer some observations on the plan which you have submitted for the consideration of His Majesty's Government.

In the general principle upon which that plan is founded, as applicable to New South Wales, His Majesty's Government entirely concur. Attached as I am, in common with the other members of the Government, to the Church of England, and believing it, when duly administered, to be a powerful instrument in the diffusion of sound religious instruction, I am desirous that every encouragement should be given to its extension in New South Wales, consistently with the just claims of that large portion of the community which is composed of Christians of other denominations. In dealing with this subject in a case so new as the Australian colonies, few analogies can be drawn from the institutions of the parent state to our assistance. In those communities, formed and rapidly multiplying under most peculiar circumstances, and comprising great numbers of Presbyterians and Roman Catholics, as well as members of the Church of England, it is evident that the attempt to select any one church as the exclusive object of public endowment, even if it were advisable in every other respect, would not long be tolerated. To none of the numerous Christians of those persuasions should opportunities be refused for worship and education on principles which they approve.

The plan which you have suggested appears to me fully in accordance with these views in both its branches:—in that which relates to the places and ministers of worship, or, as it may be more briefly described, to public religion; and in that which concerns public education.

With respect to the first branch, the equity of the proposed rule cannot be contested. The amount of private contribution is to be the condition and the measure of public aid. The Church of England, from its great numerical strength in the colony as compared with that of either of the above denominations, and from its superior command of resources,



will probably obtain a share proportionately large of the general fund : but ample encouragement and assistance will be afforded to the efforts of the other communities towards a similar object.

The proposal that the trustees, in whom the care of the buildings when completed is intended to be vested, should be elected by the congregation, appears to me not sufficiently definite ; and I would suggest that their nomination should be vested, in the first instance, in the subscribers, with a provision for supplying vacancies as they occur. The number of the trustees should also be limited by law. There can be no question but that it will be right to continue to the present incumbents, those salaries and advantages which they now enjoy, under any existing arrangement with the Government.

Some deviation, however, from this general plan may be necessary, in order to provide Religious Instruction for districts comprising any large body of convicts, where there is no reason to anticipate that voluntary subscriptions can be obtained for the erection of a place of worship, or for the ministration of Religion.

In your dispatch of the 28th February, 1832, No. 30, you stated your entire concurrence in opinion with the archdeacon, as to the absolute necessity of stationing a minister of religion at Norfolk Island ; and Lord Ripon, in a dispatch of the 25th December, 1832, No. 148, suggested a mode by which he hoped an immediate provision might be made for stationing one of the chaplains then in the colony at each of the penal settlements of Norfolk Island and Moreton Bay, so long as a large convict population should be collected there. I regret to find that this arrangement could not be carried into effect. In the same dispatch, Lord Ripon recommended to your serious consideration the practicability of breaking up the establishment at Moreton Bay, which you had yourself previously contemplated. As I hope that measures may have been taken for carrying this recommendation into effect, I may now, I presume, take for granted that the services of a minister of religion will be required only for one penal settlement. Fully agreeing with you as to the necessity of such an appointment, I have used every endeavour to find a clergyman of the church of England qualified for the office, by character, and that missionary spirit which you justly think of such importance, and at the same time willing to undertake it ; but I regret to inform you that I have not been successful. The archdeacon, of whose anxiety on this subject you are well aware, has been equally unfortunate, and I have therefore felt it my duty to institute an enquiry in other quarters ; and I hope shortly to be able to announce to you

that I have obtained the services of a clergyman of some other denomination.

The reasons which you have alleged in favour of the erection of the archdeaconry of New South Wales into a bishopric, seem to me conclusive. My predecessors had determined to carry this proposal into effect; and His Majesty's present Government have decided, with the sanction of the Archbishop of Canterbury, to adhere to that determination. The zeal and energy with which Mr. Broughton has discharged the duties of Archdeacon of New South Wales, and the strong interest which he takes in the spiritual welfare of the colony, pointed him out as the fittest person to be invested with the episcopal office; and I have much pleasure in informing you that His Majesty has been graciously pleased to nominate him to the new See. He will receive the same salary which he has hitherto received as archdeacon; and any reduction which the Governor and Council may deem practicable and expedient, will, of course, take effect only on the appointment of a successor.

I now proceed to offer some observations on the second part of your plan—that which has reference to Public Education.

The orphan schools, though the expense of their maintenance is considerable, make provision for a class of children who have no natural protectors; and, although I should doubt the expediency of extending them, I think that sufficient grounds exist for their continuance, at least for a time; nor do I see any reason for altering the general management or the plan of education, provided that you are satisfied that no undue expenditure is sanctioned, and that they are maintained in a state of efficiency. With this view, I think it highly expedient that such committees, as recommended by yourself and the Archdeacon, should be appointed for the purpose of internal regulation, and the superintendence of all matters connected with the conduct and administration of the schools, the visitor exercising the ordinary powers attached to that office.

The King's School at Parramatta, however, appears to me very differently circumstanced: the pupils of this Institution belong chiefly, if not exclusively, to that class of society which has no just claim to gratuitous aid, at the public expense, towards the education of youth; and I think, that if the school is to be maintained, it should be at the charge of the parents or connexions of the scholars. An immediate withdrawal of the whole support, which it has received from the public funds, would probably be attended with great inconvenience, but I

think it right to convey to you my opinion, that eventually it ought not in any degree to be a charge upon the public.

In respect to education generally, it follows, from the principles already laid down, that some plan should be adopted for the establishment of schools for the general education of the youth in the colony, unconnected with any particular church or denomination of Christians, in which children of every religious persuasion may receive instruction. This object it is proposed to effect, not by the exclusion of religious instruction from the school, but by limiting the daily and ordinary instruction of this nature, to those leading doctrines of Christianity, and those practical duties on which I hope all Christians may cordially agree. The peculiar tenets of any church ought to find no place, as such, in these general schools; but opportunities should be afforded, at stated periods, for the imparting of instruction of this nature to the children of different persuasions by their respective pastors. Such is the plan of National Education which has recently been adopted in Ireland, and, as I have reason to believe, with considerable success, notwithstanding some peculiar obstacles arising from circumstances not likely, as I trust, to exist in the Australian colonies. This plan will require the formation of a Board of Education, composed of members of different religious denominations. The board will have to agree on such extracts from the authorised version of the Scriptures, to be used in the schools, as they shall deem best adapted for the instruction of youth. It will also be their duty, by a vigilant superintendence, to secure a strict adherence to the regulations under which the schools will have been constituted. Persuaded, as I am, that education, founded on the Scriptures, is the best calculated to produce those permanent effects which must be the object of every system of education, I should wish it may be thought practicable to place the whole of the New Testament, at least, in the hands of the children; but, at all events, I hold it to be most important that the extracts in question should be of a copious description. It is my intention to send to you, for your information and assistance, various documents relating to the system of National Education in Ireland, and also a Report of the British and Foreign School Society, which is conducted on very liberal and comprehensive principles. I feel assured that I may safely leave to you and the Legislative Council the task of framing, on these principles, such a system as may be most acceptable to the great body of the inhabitants, and at the same time most conducive to the important end in view.

I have hitherto had in view those schools which are to be supported wholly at the public expense, and I am of opinion that schools so sup-

ported, ought to be invariably of the general nature just adverted to. But the system of public education would, I think, be incomplete, if it did not leave an opening for the admission, on certain terms, of private contributions in aid of the public. There may be persons, and even classes of persons, who may entertain such objections to the general plan, as must practically exclude them from a participation in its benefits, and who yet may be unable to supply a proper education for their children from their own funds exclusively. It would be hard that any large class of His Majesty's subjects should be debarred from the advantage of education on principles which they conscientiously approve. I submit to you and your Council, as a just object for your consideration, whether, in such cases, some pecuniary assistance might not be afforded from the public funds, in aid of contributions from parties dissatisfied with the more comprehensive system. The terms and conditions on which such assistance may be tendered, I leave to the deliberate judgment of yourself and your Council, persuaded that you will arrange a system, which, excluding no large class of conscientious religionists from its benefits, shall be, in a true sense, national. I fully approve of your suggestion, that the buildings and furniture of the primary schools should be left in the hands of any of the congregations of the Church of England, who may undertake to maintain the schools at their own expense. An immediate withdrawal from these schools, of the whole of the support which they have hitherto received from the government, would probably, as in the case of the King's School at Parramatta, involve them in considerable difficulty; but I feel assured that the mode in which the new system will be introduced, as well as the details of the system itself, will receive that mature consideration which will secure its adoption, with the least possible inconvenience to any existing institution.

I have not previously adverted to the establishment of Sunday Schools, because they are chiefly found in connexion with some particular church or congregation; and the services of the teachers being for the most part gratuitous, they do not require the aid of public funds: I am, however, unwilling to close my dispatch on this subject, without expressing my sense of the great value of such schools, and of the claim they have to encouragement, not indeed as a substitute for others, but as affording the opportunities of fuller religious instruction than can usually be given in any daily schools for general education.

In this dispatch, as in that to which it is a reply, the religious instruction and education is considered in relation only to the European inhabitants of Australia, without adverting to the case of the Aborigines, which, being peculiar, is properly reserved for separate discussion. I



shall therefore content myself in this place, with expressing, what I know to be also your feeling, that the moral improvement of that unfortunate race is an object, among the first, which demands the attention of the Colonial and the Home Governments.

GLENELG.

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No. 3. Page 312.

*Missions to the Aborigines.—The Great Libel Case.*

(From 'The Colonist.')

WE promised in our last number to give a condensed report in this week's paper of the long trial for alleged libel, which had arisen out of the articles published in this journal, during the months of November and December last, on the subject of Missions to the Aborigines; and we now proceed to fulfil our promise.

The action instituted by the Rev. L. E. Threlkeld, against the Editor of this paper, was an action for damages, on account of the injury which he alleged had been done to his character, as a Missionary to the Aborigines, by the articles in question; the damages being estimated by Mr. Threlkeld himself at a Thousand Pounds. But as the Rev. Dr. Lang avowed himself in the mean time as the writer of the articles alluded to, the prosecution was transferred to him from the Editor of this paper. The case came on for trial before His Honour Judge Burton and a Special Jury, on Monday the 21st current; the Solicitor-General and Richard Windeyer, Esq., being the Counsel for the plaintiff, and Dr. Lang appearing for himself. The trial lasted for two whole days, and excited intense interest in the town; the Court being unusually crowded during the whole of the proceedings.

The case was opened by the Solicitor-General, who read and commented on the paragraphs alleged as libellous; giving of course, agreeably to the use-and-wont phraseology of the law, "a false, scandalous, and malicious" construction to every sentiment or sentence which the plaintiff had thought proper to object to. The following is an outline of the learned Gentleman's speech:—

The Solicitor-General stated the case to the Jury. This was an action brought to recover damages for a libel published in 'The Colonist' newspaper, the Editor of which was a gentleman named Bull; but the defendant upon the record had avowed himself the author of the articles complained of. Plaintiff and defendant were both ministers of religion;

the one had been ordained as a missionary, and the other as a minister of the Scots church. He felt much pain in entering into this case, knowing that his client had felt considerable grief at having been obliged to have recourse to such a mode of proceeding. His client knew that this was not a proper arena for the display of two clergymen; he knew well that such an action as the present would only afford ground for the scoffs of the irreligious and the infidel, and would gladly have availed himself of any other means of justifying himself in the eyes of the world, against the baneful influence such libels would carry with them. The defendant had doubtless justified the libel; but let the defendant, if he could, prove the justification on the record. Such justification only added insult to injury. Of course he knew his own case best, and might consider that he was right. The following, the learned Solicitor-General observed, were the circumstances out of which the case had arisen:—

About the year 1824, plaintiff had been stationed on one of the South Sea Islands; but in August of that year he came up to Sydney, in company with two gentlemen who had been sent out as a Deputation from the Parent Society at home. When the party arrived in Sydney, they considered they were entitled to form a Mission to the Aborigines in this colony; and, in consequence, made application to Governor Brisbane, who gave them a grant of 10,000 acres of land, to enable them the better to prosecute their object; but a clause was inserted in the deed, to the effect, “that the land was given for the sole benefit of the Aborigines, and not to the London Missionary Society.” A selection of land was made at Reid’s Mistake, some twenty miles’ distance from Newcastle, as being the most eligible site for furthering their purposes. When the Deputation returned to England, they left Mr. Threlkeld with certain instructions relative to the Mission. He had his wife and family with him, and considered it best to build a house upon the ten thousand acres. He continued upon this Mission, under the London Society, until the close of 1827, when it seemed the Deputation, from whom Mr. T. had received his instructions, had reached home, and had some misunderstanding with the Parent Society, owing to the instructions given by them to Mr. T. having been more extensive than was approved of. Mr. T. had previously discovered that the expenses were more than he at first anticipated, but for an average of three years he had not drawn more than £200 for his own expenses. Mr. T. had been induced to draw some bills upon the Parent Society to meet current expenses; but these bills were not met when due, and Mr. T. was obliged to meet the law expenses consequent upon their having been dishonoured. These bills, however, were subsequently paid by the Rev. Mr. Marsden. Mr. T.

notwithstanding did not consider himself well used in the matter. The London Society gave instructions to Mr. Marsden to abandon the Mission altogether, and to pay the expense of passage, &c. of Mr. T. to England ; but Mr. T. replied " that as he had risked his all in the affair, he would rather go and herd with the Blacks, than give up an enterprise in which his whole heart was centered." He continued to live upon a portion of the land until 1830 ; when, through the recommendation of Archdeacon Scott, he was offered by the Colonial Government £150 per annum, with £36 yearly for clothes and rations for four assigned servants. This agreement was to continue from 1830 to 1835, five years, which had just expired when these publications appeared, and which were calculated to have a very material effect upon the plaintiff's prospects. The Solicitor-General proceeded to comment on the passages in the articles, amounting to ten in number, charged as libellous, pointing out the injury likely to be done to Mr. T.'s character by that publication. He then proceeded to state to the Jury, that when these libels appeared, Mr. T. wrote to defendant, calling upon him for an apology ; but this was refused ; and, instead, portions of his letter appeared with comments in 'The Colonist' of the 31st December, wherein Mr. T. was charged with either a lack of conscience or of common sense. After the learned gentleman had commented at great length upon the character and probable effect of the libels, he concluded by saying that Mr. T. did not come there to seek for heavy damages. If they (the Jury) gave the whole amount stated in the declaration, he (Mr. T.) would shrink from touching *one farthing* of it ; but when the proceedings went forth amongst the friends of Mr. T., scattered as they were over all parts of the world, they would judge of the nature of the libels by the amount of damages they saw appended to the end of the trial ; and therefore mere nominal damages would not answer the purpose sought to be obtained that day.

At the close of the learned gentleman's speech, the following witnesses were examined on the part of the prosecution :—

Mr. James Backhouse. I am at present sojourning in this colony on a religious mission, undertaken at my own expense, but sanctioned by the Society of Friends ; I have read the articles complained of ; I think they are calculated to do much injury to the character of Launcelot Threlkeld ; the conclusion I came to on reading these articles was, considering the articles to be written by Dr. Lang, I thought he would be convinced of the accuracy of his statements before he made them ; but at the same time knowing Launcelot Threlkeld, I considered that he had evinced great want of judgment, to say the least of it, in the conduct of the mission. The phrase " liberal of other people's goods " I believe to

imply that Launcelot Threlkeld was more liberal of other people's property than he would have been of his own. I do not consider these words as implying plaintiff was dishonest. I understood by the use of the word *untrustworthy*, that the writer of the articles considered, that having squandered away the property of the mission, he was unfit to be entrusted with its management; the effect of these articles on reaching England would be modified according to the description of persons into whose hands they might fall—if into the hands of a friend to the mission, they would be suppressed; but an enemy would be likely to make a handle of them against the cause.

Cross-examined by Dr. Lang. I have read the whole of the articles; I am aware that other missionaries are included in the remarks about sheep, but taking that part in connexion with some verses from a song, which appeared in another part of the paper, I consider it as applying to Launcelot Threlkeld; I consider such publications as injurious to missions; I admit that truth is paramount to all other interests in its proper place.

Mr. George Washington Walker, another member of the Society of Friends, deposed to the same effect. He was cross-examined as to whether Mr. Threlkeld had produced any documentary evidence to convince him that the statements were incorrect; to which he replied that he had not.

The Rev. Charles Price, a minister of that body of religionists called Congregationalists or Independents, gave evidence similar to the preceding witnesses. On his cross-examination, he deposed that Mr. Threlkeld had never shown him any statement of his accounts; he had come to the conclusion, that the whole was false, because he considered the comments on Mr. Thelkeld's letter weak and contemptible.

The Honourable Alexander M'Leay, Esq., Colonial Secretary, deposed, that the plaintiff was a missionary paid by Government, at the rate of £150 per annum, and £36 allowances for four convict servants. He was recommended to Government for that employment by Archdeacon Scott; he believes that the plaintiff had always conducted himself to the satisfaction of the Government.

Cross-examined. The grant to the London Missionary Society was abandoned by the Directors, on account of the expense of the mission; I have the letter of Mr. Hankey, renouncing the grant; the Wesleyan Missionary Society applied for a similar grant, but I do not remember the result.

This was the case for the prosecution, at the close of which the Court adjourned for a few minutes.



As soon as the Court had again met, Dr. Lang commenced his reply, by observing,—

That he had to apologise to His Honour, and to the gentlemen of the legal profession generally, for appearing personally in this case, instead of availing himself of the services of counsel. He had not done so from any want of confidence in the abilities of the gentlemen of the Bar, much less from any distrust of their uprightness. But as the case appeared to him to be very much out of the ordinary course of legal proceedings; as it involved the character of several Ministers of religion in this colony; as it was intimately connected with the interests of Christian missions; and as it bore upon the character of the first grand effort that was ever made in behalf of the Aborigines of this territory; he had felt himself constrained not to leave it in the hands of any gentleman, however talented and upright, who would be likely to treat it as a mere matter of law—he had felt himself compelled to plead in person. In short, the motive by which he was actuated, was the one embodied in the maxim, “*Ne respublica Christiana capiat detrimentum* ;”—lest the interests of the Christian religion should otherwise be compromised.

He was aware it had been insinuated that his only motive in coming before that Honourable Court in person was a mere desire of display—a mere itching for an opportunity of speaking in public. He begged, however, to meet every such insinuation with a flat and peremptory denial. His Honour might not be aware of the fact, but many gentlemen present were, that no man in the colony had been more traduced and libelled by the public press for many years past than himself; and that, consequently, if he had been desirous of figuring in that Honourable Court on a subject so comparatively insignificant as himself, he might have had an opportunity of doing so, by instituting actions for libel, almost every term. But during the whole thirteen years he had been resident in the colony, he had never brought any such action against any individual whatever. God forbid that he should ever prosecute any man for merely libelling him! God forbid that his reputation, as a minister of religion, should ever fall so low that he should require to ask for a certificate of character in a court of law! The Master whom he had served had been publicly designated a glutton and a winebibber, a Samaritan and a devil—the worst words in the Jewish vocabulary; and he was well aware, that the more honestly any of his servants endeavoured to tread in his footsteps, both by embracing every opportunity of doing good to his fellow-men, and by expressing his candid opinion of those who were sacrificing the best interests of the community under the pretence of religion, the more certainly would he meet with precisely similar treatment at the hands of unprincipled men.

But the Divine Author of our holy religion instituted no actions for libel, and neither would any of his professed followers, if at all actuated by his spirit, and desirous of following his example. The plaintiff in this case, doubtless, professed to come into Court in the character of a minister of religion—of a minister of religion possessed, forsooth, of such apostolic zeal as to carry him beyond the bounds of civilized society, and to make him devote all his energies both of body and mind to the Christianization and civilization of the wretched Aborigines of Australia. The plaintiff, he repeated, had come into Court with a prosecution for alleged libel, simply because he had been accused of an injudicious and extravagant expenditure of the public money as a Missionary to the Aborigines, and of having thereby compromised and ruined the cause he professed to advocate and defend! Why, as a minister of religion, he would ask no better presumptive evidence of the truth of the accusations against this individual in the articles alleged as libellous, than the fact of his having instituted such an action. It was evident at all events from such procedure, that he was no follower of the Master he professed to serve. If he had, he would have shrunk from the apostolic interrogatory, “Dare any of you go to law?” He would have found that there were other ways and means, open to a minister of religion, for the vindication of his injured character than that of instituting an action for libel.

He was desirous, however, that he should not be misunderstood in these observations. He would be sorry to attempt to shelter himself from the just punishment due for inflicting an injury on the plaintiff, by pleading the plaintiff's incompetence as a Christian man and a Christian Missionary, by asking reparation for such injury in a Court of law. If he had done the plaintiff wrong, he was ready to suffer for that wrong. He only mentioned the circumstance, to show that there must have been something grievously wrong with the man as a professed Christian Missionary all along; for if there had not, he would have acted the part of a Christian Missionary on the present occasion, in regard to this alleged attack upon his character; and instead of coming to that Honourable Court to have his character rectified, he would have remembered the divine injunction, “Commit thy way unto the Lord; trust also in him; and he shall bring forth thy righteousness as the light, and thy judgment as the noon-day.” He was truly sorry, however,—he was absolutely ashamed to find a professed minister of religion, nay, a professed Missionary to the Aborigines, who must be supposed a much more apostolic character than a common minister of religion, appealing not to the Scriptures—that last Court of Appeal for all genuine Protestants—but to the law. It reminded him of those dark and gloomy days when ministers of reli-

gion were accustomed, for lack of argument, to call in the secular arm, and to appeal to the justice of the Holy Inquisition.

He felt it necessary to establish this principle—the incompetency of a minister of religion to prosecute for libel—on general grounds, as well as in regard to this particular case. A minister of religion had doubtless an equal right with any other subject of the realm to claim the protection of the law, when his character was attacked through the press; but the moment a man stood forth before the public as a minister of the religion of Jesus Christ, he renounced all such right; and it was thenceforth as incongruous for him to prosecute for libel, when his character was assailed through the press, as it would be to fight a duel. This was the principle on which he had uniformly acted himself in this colony, when traduced and libelled by the public press. It was the principle on which he had uniformly acted years before he had ever had the slightest expectation of having any control over any portion of that press himself; and it was the principle on which he was determined to act for the future.

But independently altogether of this ground of disqualification, the plaintiff had disqualified himself for bringing any such action as the present in another way. At an early stage of his history as a Missionary to the Aborigines, the plaintiff's procedure in that capacity had been called in question, and his expenditure of the funds of the Society he belonged to found fault with as extravagant and enormous. The Rev. Mr. Marsden, as agent of the Society, had refused to sanction his bills; the Directors had refused to pay them, and they were consequently returned to the colony dishonoured and protested—a circumstance which had given rise to legal proceedings in the Supreme Court. In these circumstances the plaintiff had appealed to the public—he had appealed from the alleged injustice of the Society's agent in the colony, and of the Directors in London, through the press; having published a pamphlet in Sydney, in which he reflected in the most unmeasured language both on the Rev. Mr. Marsden and on the Directors. Now it was a principle acknowledged in the Court of Criticism, that when a man appealed to the public through the press, he precluded himself from all right to appeal to the law. But here was a minister of religion, who ought never to have prosecuted for libel at all, appealing to the law for the vindication of his character after having appealed to the press! The press was quite as open to him now, as it was on the occasion he referred to; why then did he not adopt the same course? He had thrown his whole case upon the press then, and submitted it to the judgment of his country; why did he now shrink from the same court of appeal, and appeal to the law?

As to the motives which had induced him to write the articles on Missions to the Aborigines, which the plaintiff held to be libellous, they had been greatly mis-stated by the learned Solicitor-General; and as soon as he had stated these motives, the jury would see that he had not gone out of his way to libel the plaintiff, nor had taken up his case unnecessarily.

It was well known that he had written a good deal for the press during the last few years. He had published three volumes, chiefly relating to the colony, when last in England; and since his return to the colony, he had also written occasionally for publication; but in both cases his sole object in so writing was the furtherance and advancement of the intellectual, the moral, and the spiritual welfare of his adopted country. Now it was natural above all things for a writer on this colony to advert to the state and circumstances of its aboriginal inhabitants, and especially to point out whatever had been attempted, either by the Government or by private religious associations, to improve their character and to ameliorate their condition.

But another circumstance had induced him to take up the subject of the Aborigines at the time when the articles alleged to be libellous were published. When in London, in the year 1834, Mr. Buxton, with whom he had the honour to be acquainted, had informed him of his intention to move for the appointment of a Select Committee of the House of Commons, to ascertain the circumstances and condition of the aboriginal inhabitants of all the colonies of the empire. Mr. Buxton had also requested him to remain in England, to be examined by the Committee on the subject of the Aborigines of this colony; and when the appointment of that Committee had to be deferred in consequence of ministerial changes, he had requested him to write him a letter on the subject, which he told him he would cause to be printed in the Committee's Report. He had subsequently written Mr. Buxton such a letter as he desired; and at the period when the subject of the Aborigines was taken up for discussion in 'The Colonist' newspaper, information had just arrived in the colony, of the appointment of Mr. Buxton's Committee, and of its having actually proceeded to business. The object of that Committee would appear from the following title of the Minutes of Evidence taken before it, as extracted from a recent number of 'The South African Commercial Advertiser,' in which numerous extracts from the evidence had been lately published:—

“ Minutes of evidence taken before the Select Committee appointed to consider what measures ought to be adopted with regard to the native inhabitants of countries where British settlements are made, and to the neighbouring tribes, in order to secure to them the due observance of



justice and the protection of their rights, to promote the spread of civilization among them, and to lead them to the peaceful and voluntary reception of the Christian religion."

Now feeling assured that the appointment of this Parliamentary Committee would very soon lead to the adoption of vigorous measures, on the part of Government, for the protection of the Aborigines of the territory, as well as for their Christianization and civilization, he conceived it was both expedient and necessary, previous to the actual adoption of any such measures, to put the colonial public in possession of the facts, as to what efforts had already been made on behalf of the Aborigines, either by the Government or by religious societies; or, in other words, to give an historical account of such Missions as had been actually undertaken to the Aborigines, or of such Institutions as had been formed in the colony for their intellectual and moral advancement. That this was the real object of the articles alleged as libellous, that the plaintiff's case was taken up in these articles as a matter of history and as a matter of course, and that he had not gone out of his way to make a libellous attack upon him, would be evident beyond a doubt, both to his Honour and to the gentlemen of the Jury, from the following extract, which he would read from the introductory parts of the articles:—

"It is scarcely possible to contemplate the wretched condition of the Aborigines of this colony, in connexion with their various opportunities of improvement during the last forty years, without being irresistibly impelled to the melancholy conclusion, that in the wise but mysterious arrangements of Divine Providence, they have been consigned to a process of gradual deterioration and ultimate extinction before the overwhelming progress of European colonization. Such indeed appears to be the usual and perhaps unavoidable consequence of the European occupation of any country thinly inhabited by uncivilized tribes. For savage and uncivilized man is of all animals the most untractable and the most difficult to be tamed; and the usual result of his coming in contact with the civilized portion of his species is not certainly his gradual adoption of the habits of civilization, but rather his speedy extinction. European vice and European disease gradually thin the ranks of the wretched Aborigines; and they speedily disappear from the haunts of their forefathers, like the snow from the southern mountains at the return of spring. The Caribs have long since been extinct in the West India Islands. The North American Indians have almost entirely disappeared from the settlements of New England. And the black Aborigines of the various islands of the Great Eastern Archipelago have, except in a few instances, perished before the superior skill and prowess

of the half-civilized Malay. In all these instances war has doubtless slain her thousands, but intemperance and the other vices of civilized life have slain their ten thousands.

“ But is the colonist of New South Wales to remain inactive in reference to the black natives, under the self-complacent idea, that they are consigned by Divine Providence to hopeless barbarism and speedy extinction? Nay, is he not personally accountable, in some degree at least, for their present degeneracy, and for their progressive extermination? And is he not bound, therefore, to endeavour, if possible, to improve their condition, and to avert their otherwise inevitable doom? We have taken possession of their country, and deprived them in great measure of their means of subsistence; shall we not then endeavour to make them some compensation for the injuries they have sustained at our hands? We have introduced among them a moral pestilence, unknown to their former generations; shall we not then make some effort to stay the plague by endeavouring to supply them with the antidote of religion?

“ The treatment of an uncivilized people by a civilized and Christian nation, who have invaded and occupied and monopolized their territory, and under whose long-continued and systematic aggressions they have been exterminated in one colony, and reduced to a mere skeleton of what they once were in all the inhabited districts of another, is a subject that ought to occupy the first place in a colonial periodical professing to treat of ‘ Colonial Politics.’ And if any department of that general subject is of more importance than another, it is surely that which relates to the efforts which have been made either by the Government, or by private religious societies, for the Christianization and civilization of so unhappy a people. The honour of the British nation, as the grand colonizing nation of modern times, is deeply concerned in this question; and every individual of that nation who sits his foot on these shores, has consequently an undoubted right to ask, ‘ What has been done for the Black Natives of this territory?’ and if it should turn out from the answer he receives to this question, that whatever has been done hitherto has only proved a failure, he has a further right to ask ‘ the reason why.’ Now as we had recently occasion to notice a motion which had been made in the House of Commons by T. F. Buxton, Esq., M. P., in regard to the actual condition of the Aborigines of all the colonies of the empire, we felt ourselves bound in our editorial capacity to take up these questions *seriatim*, and to treat the subjects they refer to as a matter of colonial history.”

After these introductory observations, the articles in question proceeded to describe the first effort which had ever been made on behalf of

the Aborigines. That effort was made by the late Governor Macquarie, from whom a despatch, exhibiting His Excellency's views on the subject to Earl Bathurst, together with two very long letters to His Excellency from the Rev. Mr. Cartwright, of Liverpool, was inserted in the first of the four articles on the subject of the Aborigines; the account of Governor Macquarie's effort on behalf of the Aborigines occupying not less than six columns of the paper. That account concluded in the following manner:—

“ The public are aware that the Institution at Black Town, after promising well for a short time, completely failed. We believe we shall be thought somewhat singular in our mode of accounting for that failure; but we have no hesitation in avowing our opinion, that it rose chiefly from its being the primary, if not the sole, object of the Institution to civilize the natives; and from its not giving sufficient prominence to religious instruction, as one of the means, and, in our opinion, the only means adequate to the accomplishment of so desirable an end. In reference to the very important question which this subject involves, we hold, in opposition to the unfounded dogmas of certain modern philosophers, but in direct accordance with the dictates of revelation, and the voice of universal history, that the original state of man was not that of a savage, but, on the contrary, one of comparative civilization—a state in which he possessed the knowledge of God, and was divinely instructed in a pure and holy religion. For if we institute an inquiry into the ancient nations of India on the one hand, and of Greece on the other, we shall find that the higher we go, the religious system of both these idolatrous countries was the more simple, and the more pure, and the more conformable to reason and truth. Now, in conformity to this incontestably accurate view of the past history of man, we hold also that it is only in consequence of his apostacy from God, and from the pure and holy religion of primeval antiquity, that man has in any instance become a savage, or fallen from his natural and original state of comparative civilization; and, consequently, that the only rational and the only efficient mode of restoring a savage to that primeval state is to instruct him in the knowledge of God, and to captivate his heart and his understanding with the truths of revelation. A mission to the Aborigines, having this object professedly in view, may doubtless be unskilfully managed, and may be undertaken by men who have other things at heart than the spiritual and eternal welfare of these children of the forest. Still however, notwithstanding the ridicule that such sentiments are likely to call forth, from those who consider themselves exceedingly wise in these matters, we maintain, that the establishment of a mission to the Abori-

gines is the only rational mode of attempting to civilize them ; that their civilization will remain utterly hopeless till their conversion to Christianity ; that their moral and intellectual darkness will never be dispelled but by the marvellous light of the Gospel. We acknowledge, indeed, that the Christianization of the Aborigines is an event of which we have hitherto had no reason to entertain sanguine expectations. But perhaps we should cease to regard it much longer as either impossible or impracticable, if some zealous missionary were found willing to conform to their wandering habits for a time, in order to gain access to their understandings and their hearts ; following them as they skim along the surface of the solitary lake in their bark canoes, or hunt the bandicoots and opossums in the depths of the forest, or sing the artless songs of their tribe by their evening fires, or mimic the gambols of the elegant kangaroo in their merry corrobories. And surely the deadly climates of Sierra Leone and the Indies, the fierce intolerance of the Persian Mussulman, and the savage propensities of the cannibal of New Zealand, present far more formidable difficulties to the Christian Missionary, than any he is likely to encounter among the artless Aborigines of New South Wales, in the salubrious climate of Australia."

Now he would put it to His Honour and to the gentlemen of the jury, whether this could possibly be the language of a man who was not sincerely desirous of promoting the best interests of the Aborigines, or who had taken up their cause merely for the purpose of venting personal animosities against any individual whatever.

The second chapter, as it might be called, in this history of Missions to the Aborigines, gave an account of the Mission undertaken by the Wesleyan Missionary Society, and conducted by the Rev. William Walker, of that Society. The following is the account which was given, in the articles in question, of that Mission :—

"The first mission to the Aborigines, which was actually established (for Governor Macquarie's good intentions respecting them were never carried into effect), was projected by the Wesleyan Board of Missions, at the instance of the Rev. Samuel Leigh, a zealous and indefatigable missionary of that communion, who had undergone considerable hardships among the lower orders of the white population of this colony. The Rev. William Walker, a young man of great vivacity of disposition, of considerable eccentricity of manner, and apparently of apostolic zeal, was selected by the Wesleyan Society as their first missionary to the Aborigines. The work for which Mr. W. was destined required neither supereminent abilities nor splendid acquirements ; but in both of these



particulars he was, perhaps, sufficiently qualified, and he was furnished with such books as were likely to be of use to him in acquiring a barbarous and unwritten tongue. The main requisites for his office were undoubtedly a sincere desire for the spiritual welfare of the Aborigines, an elevation of soul that would enable its possessor to look with indifference on the money-making pursuits of an avaricious generation, a constitution capable of sustaining both fatigue and privations, and a spirit of indomitable perseverance. Mr. W.'s qualifications in all these important respects were estimated very highly by his friends, and sanguine expectations were entertained, by himself at least, of his speedy and complete success. For on some persons remarking to him, shortly after his landing, that he had embarked in a very arduous undertaking, and had very unpromising subjects to cope with, he replied, with an air of confidence, 'O, I will either convert them, or they will convert me.' It is scarcely necessary to inform the colonial public, which term of this singular alternative has been actually realized. The natives unfortunately are still precisely in the same state in which they were found by the zealous missionary; but, alas! the Rev. Mr. Walker has, agreeably to his own prediction, been *converted* (we presume by these worthy natives, Cogie, Bungary, Terribalong, &c.) into a settler of the fifth or sixth magnitude, in this money-making colony! 'O, what a falling off was there!'

'A different result, we must acknowledge, was for some time anticipated by Mr. Walker's friends; and that anticipation, we deem it but right to add, was founded chiefly on his own representations. Shortly after his arrival in the colony, in the year 1821, Mr. Walker visited the institution at Black Town, and, if we are not misinformed, subsequently resided for some time at that settlement. From his own letter, published in 'The Australian Magazine' for 1822 or 1823, a short-lived colonial periodical, long since defunct, his reception appears to have been equally warm and encouraging—in short, every thing that a Missionary could have wished. 'On Sunday the 7th instant (the Rev. Gentleman writes), the inexpressible gratification was afforded me of paying a visit to the settlement of the Aborigines. \* \* \* Having brought some clothes with me, I distributed four gowns to the females, four pair of trowsers to the men, and one frock to a little baby. These small presents were received with those expressions of gratitude, which have made an indelible impression on my mind, of their capability to receive instruction, and of adorning any or every station in civilized life.' Mr. W. subsequently, as he tells us, 'perambulated the wood, whilst the poor

Aborigines were left to their own cogitations and discourse. On our return we received such a welcome as will ever redound to the sensibilities of their minds. The Lystrians (Acts xiv.) were not more bent upon acts of benevolence and beneficence. Their week's supply of food produced, as it were, instantaneously to satisfy, what, they conceived, the calls of nature. In fact, I may use the language of the Apostle, and say, 'I bear them record, that, if it had been possible, they would have plucked out their own eyes and given them to me.'—*Gal. iv. 15.* I could easily adduce facts to substantiate these assertions. Facts are stubborn things! \* \* \* *There is an open field for British beneficence. Shall those who can say, 'Am I not a man and a brother,' be destitute of our assistance? Shall we not render those poor creatures some equivalent for the vast territory of this land which we occupy? Every reader's heart, I feel confident, rebounds with, What can I do? When can I do something? I answer, Do all you can, and do it immediately. Now is the accepted time.* In conclusion, let me add, I have only presented a very brief epitome to our readers of the pleasing visit. I left them with a consciousness of having never been favoured with a more profitable or serious season during my ministerial career. The number was thirteen; and all were agreed that, if I could tell them when my next visit would be paid, all their tribes would be in attendance. Moreover, I was assured by their unanimous voice, that were the above encouragement (a few clothes, agricultural implements, and a temporary supply of food) afforded, their respective tribes would *immediately* form themselves into a settlement.'

"The world we live in is doubtless a scene of most mortifying disappointment. Who, for instance, could have expected that the writer of these 'elegant extracts,' (taking it for granted, all the while, that they exhibited the truth, and nothing but the truth,) that the kind-hearted, humane, zealous friend of the Aborigines would desert the cause he had so eloquently pleaded, and the congregation that clung to him with such ardent affection! We speak not of his duty as a Christian and a Missionary, when we reprobate such desertion, as we cannot help doing in passing; we merely ask, Where were his feelings as a man?"

Now it was evident from these passages, that if the plaintiff had been libelled in the articles in question, he was not the only person who had been so. Mr. Walker had a prior right to prosecute for libel, as it was evident he too had been somewhat roughly handled, in regard to his mode of managing the Wesleyan Mission to the Aborigines, even before the plaintiff's case had been taken up at all. But it was equally evident

from these passages that both the one case and the other had been taken up solely on public grounds, and that, in doing so, the parties interested had been weighed impartially in the balance of history. Mr. Walker indeed was too sensible a man to institute an action for libel for any thing of the kind. He was doubtless conscious that he had got nothing more than what he richly deserved, and he was right therefore in taking it patiently.

The third chapter, as it might be called, in the history of Missions to the Aborigines, was the one relating to the mission in which the plaintiff had been concerned—the mission undertaken under the auspices, and at the expense, of the London Missionary Society. The history of that Mission is introduced, in the articles alleged as libellous, with the following observations :—

“ The next person who appears in the annals of the colony as a Missionary to the Aborigines, is the Rev. L. E. Threlkeld, of the London Missionary Society. Towards the close of the year 1825, the Rev. Daniel Tyerman and George Bennet, Esq., arrived in this colony from Tahiti and the South Sea Islands, to which they had been sent in the year 1821, as a deputation, to inquire into the state of the missions in these islands, by the London Missionary Society. During their residence in this colony, the state of the wretched Aborigines of New South Wales was brought repeatedly under the notice of these gentlemen, as well as under that of His Excellency Sir Thomas Brisbane, by Saxe Bannister, Esq., who was then Attorney-General of New South Wales, and whose slender abilities as a lawyer were perhaps more than counterbalanced by his warm and active benevolence as the friend and advocate of injured and oppressed humanity. At the suggestion of Mr. Bannister, the deputation agreed to establish a missionary to the Aborigines of this territory ; and in order to the successful accomplishment of so important an object, His Excellency Sir Thomas Brisbane granted to the London Missionary Society, subject to the approval of the Secretary of State for the Colonies, ten thousand acres of land, in whatever part of the unlocated territory of the colony the directors might think proper to make a selection to that extent, for the establishment of a mission to the Aborigines.”

These preliminary observations were then followed by a copy of the deed of grant to the London Missionary Society, by an account of a similar grant given for similar purposes to the Church Missionary Society, and by certain correspondence with the Secretary of State for the Colonies ; from which it appeared that the faith of Government had been pledged to make a similar grant to the Wesleyan Missionary

Society, provided the other two should be found to prove conducive towards the attainment of their common object, the Christianization and civilization of the wretched Aborigines.

Having thus shown in what manner the case of the plaintiff as a Missionary to the Aborigines had been taken up, in the articles alleged as libellous, he would now read and make a few explanatory observations on those passages in these articles on which the plaintiff had been pleased to put a libellous construction.—The first of these passages was the following :—

“ On proceeding to his station, Mr. Threlkeld was furnished by the deputation with a *carte blanche*, authorising him to draw upon the Directors of the London Missionary Society for whatever sums might be indispensably necessary for the establishment of the mission. And as nothing further could possibly have been required for that purpose, especially at the outset of the undertaking, than was necessary for the formation of an agricultural or grazing establishment, the deputation had a right to expect that Mr. Threlkeld's wants would be comparatively few, and his demands on the Society correspondingly limited. In fact, all he had to provide for, in the first instance, was the erection of a bush-house, and the clearing and cultivating of a few acres of land ; and as the services of three or four convict servants, to be rationed by the Government, could have been procured for the mission at the period of its commencement with the utmost facility, the expenditure absolutely necessary for its establishment and maintenance ought to have been comparatively small. In short, when we think of the extremely limited means with which many individuals of undoubted respectability, and of superior education, were enabled, about the period we refer to, to establish themselves *in the bush* in this colony, we are confident we make a most ample allowance for Mr. Threlkeld, when we give it as our decided opinion, that with £500 of original outlay, and a salary of £100 or at most £150 per annum thereafter, the London Missionary Society's proposed mission to the Aborigines ought to have been successfully established and permanently maintained. We appeal for the correctness of this statement to every settler of eight or ten years' standing in the colony. We know the country well, and we know also how very little many respectable men, who have since made themselves independent in the colony, had to expend in those days : and, taking into consideration, moreover, the manner in which the Society's funds are for the most part collected, viz.—by penny-a-week subscriptions from persons of the humbler classes of society in Great Britain and Ireland, by the hard-earned but freely contributed donations of the virtuous



servant-girl, and by the Christian widow's accumulated mite, we have no hesitation in adding, that the man who could expend more than the sum we have mentioned, in establishing a mission to the black natives, or ask a larger salary thereafter than the one we have represented as sufficient, must have been utterly unfit for the office assigned him.

“What then will the public think, when we inform them, that, during the period of two years and a half from the commencement of the mission to the Aborigines, Mr. Threlkeld managed to expend upwards of two thousand seven hundred pounds sterling of the funds of the London Missionary Society, for the establishment of that mission; and that because the Rev. Mr. Marsden, who was then the agent of the Society in New South Wales, would not allow him to draw upon the Society for a permanent salary of £500 per annum, as he considered £300 a year, which he offered to allow him, was amply sufficient for the purpose, the zealous Missionary left the settlement at Lake Macquarie, on which so vast an expenditure of public money had been incurred by his own orders altogether, and came to Sydney with his family, to get up a pamphlet of crimination, forsooth, against the Rev. Mr. Marsden, representing himself as a deeply injured and persecuted man.”

Now he would show His Honour and the gentlemen of the jury, that although the plaintiff, in a letter to which he would have occasion to advert afterwards, had been pleased to characterize the statements he had made in this passage, relative to the expenditure of the mission, as a “malicious misrepresentation” and a “wilful falsehood,” they were not only substantially but literally correct. As to the *carte blanche* which had been given the plaintiff to draw upon the funds of the London Missionary Society, it was given explicitly enough in the following passages of the letter of instruction, which the deputation had written the plaintiff, of date, Sydney, February 24, 1825, a copy of which is given in the plaintiff's own pamphlet—

“You will use your best endeavours to erect a suitable residence on some appropriate spot within the limits of the land which has been given. As to the best means of building such a house, this will be left to your own discretion; *the funds of the Society being responsible for the expenses*, you will see it necessary to use all the economy which is consistent with domestic convenience and comfort.

“As to the means of subsisting yourself and family, it must be left to your own discretion. Assured that you will use all the economy which is consistent with your domestic comfort, *we pledge the funds of the Society for your support, and authorise you to draw upon the Treasurer for such sums from time to time as may be necessary*; at the same time, we request that,

so soon as you can ascertain what sum will be equal to your annual support, you will name it to the Society at home, persuaded that a fixed annual salary will be more agreeable to all parties."

In reference to these instructions, it was worthy of remark, that, in the plaintiff's pamphlet, the clauses pledging the funds of the Society were given in *Italics*, to make the thing conspicuous to the reader, while the clauses enjoining economy were allowed to remain in the old Roman character. As to the expense required for the organization and the subsequent maintenance of a mission to the Aborigines, he could not conceive what else was necessary for such a purpose than was required for the formation of a common agricultural or grazing establishment. A house would require to be erected, and a few acres of ground cleared and fenced and cultivated, and a family supported till some produce could be obtained from the land. And he was confident—he appealed to men of experience, who would bear him out in the assertion, when he appealed to the gentlemen of the jury, as to whether they had not known many respectable individuals who had done all this in the bush in this colony for much less in the way of original outlay than £500, and who had to draw their entire subsistence from the soil thereafter, instead of receiving a yearly salary of £150, which he had allowed the Missionary to the Aborigines. In regard to the time in which he had alleged the plaintiff had expended upwards of £2700 for the formation of the Aboriginal Mission, viz., two years and a half, he appealed for the truth of that statement to the plaintiff's own printed pamphlet. At the close of that pamphlet there was a summary of the plaintiff's expenditure for that Mission from June 4, 1824, to September 21, 1827; the sum total expended during that period being £2734 14s. 9½d. But on the 4th of June, 1824, the plaintiff was in Raiatea, one of the South Sea Islands, and did not arrive in this colony, on his way to England, till the 19th of August following; and it was three or four months thereafter before the Mission to the Aborigines was even thought of. On the 7th of January, 1825, the plaintiff went to Newcastle with Messrs. Bennet and Tyerman; returning to Sydney on the 19th, without visiting the future station for the Mission at all. In the month of March following, he proceeded to Newcastle a second time, and got as far as Lake Macquarie; but it was actually the 7th of May, 1825, ere he finally left Sydney with his family and establishment to form the Mission to the Aborigines. Deducting therefore the sum of £30 charged by the plaintiff for his passage from Raiatea and incidental expenses; and allowing £4 14s. 9½d. for his expenses in visiting Newcastle in January 1825, there remained an expenditure of £2700 incurred, on the plaintiff's own showing, on account

of the Aboriginal Mission, from the middle of March, 1825, to the middle of September, 1827, that is, exactly two years and a half. Incredible as it might appear to people residing in this colony, the plaintiff had actually incurred, on his own showing, for the establishment of his Mission to the Aborigines, an expenditure of £ 1080 a year for *two years and a half*! And from whose funds, he would ask the gentlemen of the jury, was this enormous expenditure derived? Not from the public treasury of New South Wales, replenished as that treasury is, ever and anon, by the rum-sellers and the rum-drinkers of this colony; but from the penny-a-week subscriptions of the poor but virtuous English servant-girl, of the Christian and charitable workers in cotton-mills and other unhealthy establishments, of the poor widow and the little child, who were both encouraged and invited to cast in their mite, for the propagation of the Gospel among the heathen, into the treasury of the Lord! It was from such a source as this that the plaintiff could incur the heartless and enormous expenditure of £ 1080 a year for two years and a half!

As to the purposes for which this vast expenditure had been incurred, without going over the accounts particularly, he would only advert to a single item in these accounts—the item of tobacco! In one part of these precious accounts, a keg of tobacco, partly for the Blacks, is charged to the Society at £ 30 15s.! In another, tobacco for the Aborigines forms one of a list of sundries, amounting altogether to £ 69 2s. 5d.! And in a statement of the probable annual expense of the Mission for the future,—which the plaintiff estimated at the very least at £ 500 a year,—two shillings a day, or £ 36 10s. a year, is the sum charged for tobacco! Now, who ever heard of a Minister or a Missionary teaching his people to smoke or chew tobacco? The apostle Paul had to preach to Barbarians and Scythians, as well as to the polished Greek and the lordly Roman; but who ever heard of his teaching any of these classes to smoke tobacco? He knew it would be said in reply, that it was necessary to give the natives tobacco to get them to work: but the use of tobacco leads directly to the use of strong drink, and the use of strong drink to crime, transportation, and ignominious death; and was either a Minister or a Missionary justified in doing evil in any instance that good might come?

But the fact was, the plaintiff had entirely mistaken both his duty and the nature of his employment as a Missionary to the Aborigines. He had gone about, in direct opposition to the express instructions of his constituents, to found a colony, instead of establishing a Mission; and he had consequently incurred the enormous expenditure he had been reprobating, for purposes that were in no way connected with the Christianization of the Aborigines. The object of the London Missionary

Society was not to found a colony, but to preach the Gospel, to disseminate Christian knowledge among the heathen; and in the pursuit of that grand object the Christian Missionary was to go forth into the forests of Australia, with exactly the same weapons in his hand as the Holy Apostles had wielded of old, and trusting for his success to the same mighty, or rather almighty, power, to which alone they had trusted when they went forth, with the everlasting Gospel in their hands, into the porticos of Athens and the capitol of Rome.

The learned Solicitor-General had alleged that the plaintiff had never charged more than £180 or £200 a year for his own personal expenses; the other expenses being what he calls the expenses of the Mission. But for the first year, or rather for the six weeks that elapsed from the 7th of May, 1825, when the plaintiff finally left Sydney for Newcastle, to the 21st of June, or the month following, he found £322 8s. 1½d. charged for personal expenses, in addition to £150 19s. 10d. for household furniture, and £24 12s. 8½d. for medicine! There was doubtless board and lodging in Sydney to be paid for out of this amount for a few months previous to the 7th of May, 1825; but the sum total was exactly as he had stated it, and that sum he had no hesitation in characterising as extravagant and enormous.

In regard to the plaintiff's estimate, as to £500 per annum being the sum indispensably necessary for conducting the mission, while the Rev. Mr. Marsden would allow him only £300, the plaintiff's own statement in his own precious pamphlet was surely sufficient authority. "I can only state the fact," observes the plaintiff, in a letter to the Directors, of date, 31st October, 1826, "that it is impossible to be conducted under five hundred pounds sterling per annum at present, and that the decrease will not be, for years to come, of great importance." And again, "I met Mr. Marsden at a friend's, where a statement was shown him of the expenditure, and, to the best of my recollection, no fault was found with it, only Mr. Marsden thought to allow me £300 a year, &c."

The following extracts of letters addressed to the plaintiff by the Directors of the London Missionary Society, would evince the opinion that was entertained of the plaintiff's expenditure by his own constituents. The first of these extracts was from a letter, dated Mission House, Austin Friars, London, March 2, 1826, when the plaintiff had drawn only £750.

"Dear Sir,

"We wrote you at considerable length, under date the 29th August last. Our letter was forwarded per the Prince Regent, and the du-



plicate thereof by the Sesostris, both addressed to the care of the Rev. Mr. Marsden. Since that time we have received the following letters :—from Sydney, under dates of 23rd and 25th of April, and 1st of June, and from Newcastle, of July 5, 1825—and we think it necessary to inform you, that we experienced no small surprise and concern to find that you had drawn upon the Society to so very large an amount, for which, indeed, we are not at all prepared. We, of course, expected that the establishment of the mission would occasion, for the first year, an extra expenditure ; but we certainly did not anticipate any such amount on this ground, as that for which you have drawn bills on the Society ; and this appears is not all, but that you also purpose drawing bills for £100 or £150 more, making a total amount of £900. Giving you the fullest credit for the goodness of your motives, we cannot refrain from observing, that while it was yet a matter of uncertainty whether the Society would sanction the project, and while you were quite uninformed as to the extent we should be disposed to go, in point of expense, for any mission at all in that quarter, to incur obligations to so great an amount as almost *one thousand pounds* does appear to us a procedure by no means to be justified on the score of prudence ; and we doubt not, upon reconsideration, that you will yourself perceive that it would have been proper to expend, in the first instance, just so much money as your necessities absolutely required, and no more, until you had received communications from us, containing our views and determinations as to the establishment of the mission, and the scale of expenditure on which it was our will that it should be conducted, in case we sanctioned the establishment of the mission itself.

“ But our principal reason for writing to you at present, *is to prevent all future immoderate expenditure* ; and, in reference to this point, we have adopted the two following resolutions :—

“ 1. That the Rev. Mr. Threlkeld be instructed to give no more bills on the Society, unless drawn with the sanction of the Rev. Mr. Marsden, as without his sanction they will not be honoured.

“ 2. That the Rev. Mr. Marsden be respectfully requested to sanction the bills drawn by the Rev. Mr. Threlkeld, only to such amount as, in his judgment, shall appear absolutely necessary to carry on efficiently, and with the strictest regard to economy, the Aboriginal Mission at Reid’s Mistake.”

He had drawn for a somewhat more respectable amount when the letter, of which the following is an extract, was written him :

“ Mission House, Austin Friars, London,  
“ March 22, 1827.

“ Dear Sir,

“ After being apprised, by the perusal of the postscript to our letter to you of the 8th ultimo, of the painful feelings excited in our minds by your letters just then received, advising of your having further drawn on the Society bills to nearly the sum of £ 640, (making a total outlay on account of the proposed Mission to the Aborigines of upwards of £1800 in the course of only two years,) you will be prepared to hear, that we have resolved to adopt some measure with a view to put a stop to this exorbitant expenditure, which has excited in us a degree of surprise and apprehension that we should find it difficult to express.”

The next portion of the articles on Missions to the Aborigines, on which a libellous construction had been put by the plaintiff, was as follows :—

“ In the mean time, the Directors of the London Missionary Society became completely disgusted at the manner in which their Mission to the Aborigines had been conducted, and, accordingly, giving Mr. Threlkeld his ticket-of-leave, gave up the grant, and abandoned the undertaking altogether.

“ The direct pecuniary loss which the London Missionary Society sustained through this individual, was greatly above three thousand pounds sterling.”

He would only observe in reference to this passage, that the plaintiff's dismissal, and the abandonment of the grant by the London Missionary Society, would be clearly established by documentary evidence in the sequel, and that the plaintiff acknowledged in his own letter that the cost of the Mission had been upwards of £3600. The whole of that amount, it could not be doubted, was a dead loss to the London Missionary Society.

Neither would it be necessary to take much notice of the third passage alleged as libellous in the articles in question, which was as follows :—

“ But through the gross mismanagement of the London Society's Mission by the Rev. Mr. Threlkeld, both the London and the Wesleyan Missionary Societies have been deprived of the extensive grants they would otherwise have possessed at this moment, and been virtually compelled to abandon the field of missions to the black natives of this territory altogether. The loss which the whole Protestant community of all de-

nominations in this colony have thus sustained, through the incompetency (to use the very mildest phrase which the case warrants) of a single individual, is quite incalculable, especially in these dark days of Popish ascendancy."

It was matter of notoriety that the Wesleyan Missionary Society, whose labours for the conversion of the heathen had in other countries been so indefatigable and so eminently blessed, had solicited a grant of 10,000 acres of land from Government for the establishment of a Mission to the Aborigines of this colony, and that the faith of the Government had been pledged to their obtaining it, provided that the grants actually given to the other two Societies should prove conducive towards the attainment of their common object: but, through the plaintiff's gross mismanagement of the London Society's Mission, not only had that Society been deprived of their grant, but the Wesleyan Society had also failed to obtain theirs. And who could doubt but that the Protestant community, of all denominations, in this colony, had sustained a very serious injury through such mismanagement? It would surely be unnecessary to justify an inference so obvious and direct as this.

He had now come to the fourth count in this libellous indictment, and it was the one to which the learned Solicitor-General had directed his utmost efforts. The passage complained of was as follows:—

"It is truly lamentable, however, to reflect on the vast amount of good that *might* have been done to all classes in this most unfortunate colony, through the means of extensive usefulness that have been enjoyed at different periods, and rendered utterly inefficient, by incompetent and untrustworthy individuals."

Now, he would observe in the first place, that this was a mere general remark, to which the preceding narrative had doubtless naturally led, but which included various individuals in this colony, and had no special reference to the plaintiff: for it was matter of notoriety to all in the least acquainted with the past history of this colony, that the fact stated and deplored in this paper had occurred again and again, to the manifest injury of the cause of religion in this territory. But he would observe further, that the word *untrustworthy* was not meant to be taken in this passage in the libellous sense which had been given to it by the learned Solicitor-General, as implying moral delinquency. It was evident from the context, that the meaning of the word was, that the plaintiff was, in consequence of his utter incompetency, evinced in his exorbitant and enormous expenditure of the London Missionary Society's funds, unfit for the trust which had been committed to him by

the deputation of that Society, as the organizer of a Mission to the Aborigines: besides the general signification of *confidence*, the word *trust* signified also either certain *property* committed to the management of some person who had to give account of his management of that property, or certain *duty* which the trustee was bound fully as well as faithfully to discharge. Now if it appeared that the person so entrusted was incompetent to the discharge of that duty, or to the management of that property, it was quite allowable to designate him as *untrustworthy* in that particular respect, without implying any imputation on his general character as a member of society. If the captain or sailing-master of any of His Majesty's ships happened to lose his vessel, and it was proved on the court-martial that he had done so through ignorance either of the art or of the science of navigation, he would not only be held as *incompetent and untrustworthy* in that particular respect, but he would either be cashiered or shot for his culpable and criminal ignorance, although not the slightest imputation could be thrown all the while upon his moral character. In like manner, if any person, professing to be a medical man, undertook the cure of a patient labouring under any disease, and by his ignorant and unskilful management killed the patient, he would not only be held *incompetent and untrustworthy* in that particular respect, though in other respects of good moral character, but the law would hold him guilty of culpable homicide, and treat him accordingly. A case of this kind had occurred when he was last in London. A famous quack, a Mr. St. John Long, had got himself into notoriety among the vulgar of the higher classes in the metropolis as a curer of consumption; which he attempted, of course, by rubbing *some combustible stuff*, as the lower classes in this colony would call it, into the patient's back. He had tried this notable experiment upon a young lady of a highly respectable family, who died under the operation; and the jury at the coroner's inquest returned a verdict of culpable homicide against Mr. St. John Long, who of course had to make the best of his way to the continent. But he could appeal, for the meaning of the word on which the learned Solicitor-General had laid so much stress, to a most unexceptionable authority. That authority was neither Johnson nor Walker, but a better than either, at least in the present case,—the plaintiff himself. For in the plaintiff's own precious pamphlet, in a letter addressed to the Directors, of date 31st October, 1826, in which he comments upon a resolution of the Directors "that the Rev. Mr. Marsden be respectfully requested to sanction the bills drawn by the Rev. Mr. Threlkeld, only to such amount as in his judgment shall appear absolutely necessary to carry on effectually, and with the strictest regard to economy, the Aboriginal Mission



at Reid's Mistake;" he observes, "Now, how is Mr. Marsden, residing nearly 100 miles off, to form a judgment, but by a reference to my judgment, who conducts the mission and resides on the spot? This resolution, therefore, does nothing to remove the possibility of immoderate expenditure on my part, were I disposed to act so unworthily; but only displays an unhandsome, unjust reflection on me, *as being unfit for future trust.*" Now, without adverting to the absurdity of supposing that a man of so much agricultural as well as general experience as the Rev. Mr. Marsden could not know what sum was necessary for the establishment of a missionary settlement in any part of this territory, it was evident that the plaintiff himself recognised in express words, in this passage, the distinction for which he contended, viz., that the word *untrustworthy* referred exclusively to his incompetency for the trust which had been committed to him by the London Missionary Society, and contained no imputation of moral delinquency. In short, the plaintiff accused the Directors of stigmatising him as *unfit for future trust*, or, in other words, as *untrustworthy* in the former of these senses, while they expressly disclaimed every such imputation as that of moral delinquency.

The fifth count in this libellous indictment was founded on the following passage, alluding to the plaintiff's having accepted a salary of £150 from the Government of this colony, as a Missionary to the Aborigines, under the orders of the archdeacon, after having been dismissed by the London Missionary Society, from which he had previously refused to accept of anything less than £500 a year.

"In ordinary circumstances, we should have been somewhat surprised at seeing a non-conformist missionary giving in his adhesion to an archdeacon, and marching thereafter under the broad banners of episcopacy. But we confess that a change of this kind, on the part of so liberal a man (liberal of other people's goods) as Mr. Threlkeld, does not surprise us in the least."

In regard to this passage, he was more than astonished at finding anything like a libellous construction fastened, either by the plaintiff or the learned Solicitor-General, on the mere mention of the circumstance of a "non-conformist missionary giving in his adhesion to an archdeacon." It never entered into his mind to impute it as a disreputable affair to the plaintiff, that he had accepted office under the archdeacon, and had received a government salary in that capacity. He would not have done so himself under any circumstances, but he would not condemn any other man for doing so. In short, his sole reason for adverting to the circumstance at all, was the singular contrast which that circumstance afforded, when compared with the high ground which the plaintiff had

himself assumed in his own precious pamphlet. So long as he was a missionary of the London Society, he would submit to no control whatever: he would not submit to the least interference, on the part of the Rev. Mr. Marsden, with his extravagant and wasteful expenditure of the Society's funds. "If any part of the management," observes this missionary pamphleteer, in a most unchristian and insulting letter to the Directors in London, in which he talks, forsooth, of their *abominable spirit*, because they *found fault* with him for spending the Society's funds, at the rate of £1080 a year,—“if any part of the management is interfered in, it had far better be under the management of the archdeacon at once; then there would be but *one master*; in the other case, there would be too many.”

As to the other part of this portion of the alleged libel—the phrase *liberal of other people's goods*—he really did not see a single syllable to eat back there. Considering that the plaintiff had expended the London Missionary Society's funds, as a missionary to the Aborigines, at the rate of £1080 a year, for two years and a half—an expenditure which the Directors themselves had repeatedly characterised as exorbitant and enormous; and, considering whose funds it was that he was thus expending—that it was the funds contributed in penny-a-week subscriptions by virtuous servant-girls, by poor widows, and by little children, in England; he conceived that the plaintiff had earned his title well—as a liberal expender of other people's goods. If such a phrase—a phrase which so exactly fitted the individual whom it was intended to characterise, if such a phrase was to be fixed upon as libellous, then there was an utter end of what our great poet had characterised as “the liberty of unlicensed printing”—that palladium of the liberties of the people of England. And, that a non-conformist missionary, who had been thus liberal of other people's property, should afterwards have gone over to the archdeacon, he confessed, did not surprise him; for it was not to be expected that the man who could waste the public money in this way would act consistently with his profession in other respects.

He would now come to the sixth count in this libellous indictment. It was founded on the following passage in the articles on Missions to the Aborigines:—

“The injury that has been done to the cause of Christianity in this colony, by men who have been sent out by the British public as Missionaries to the Southern Hemisphere, but who have been utterly unfit for their office from the very first—some of them as to intellect and education, and others as to morals and religion—has been utterly incalculable.”

lable ; and the evil they have actually done to this community has been done chiefly by their acting a part in our limited society *which the Lord hates*—that of *sowing discord among brethren*. The genuine and right-hearted Missionary—he who seeks not his own things, but the things of his Master, and who counts all things but loss that he may advance his glorious cause in this worthless world—*this is the man whom the KING delighteth to honour* ; for though contumely and ingratitude should be his constant earthly portion, *HE will ere long bring forth his righteousness as the light, and his judgment as the noon-day*. But the counterfeit Missionary—the man who doffs his apostolic coat to-day, and becomes a mere sheep and cattle man, a mere worldling to-morrow—such a man is a perfect abomination ; and sorry are we, from our very heart, that the race has always been so numerously represented in this colony.”

In order to ascertain the exact meaning and particular application of this passage, it was necessary to observe, that in the year 1826, immediately after his return from England, he (the defendant) had ascertained from certain Missionaries then resident in New South Wales, that there were upwards of sixty Missionaries’ children in the South Sea Islands growing up in a state of semi-barbarism. Conceiving, with these Missionaries, that it would be exceedingly advantageous for these children to be educated in this colony, he had sent to the Missionaries at the Islands, offering to board and educate, free of cost, one or two of the most promising of their children by way of experiment. They had accordingly sent him a promising boy, a native of Sydney, but who had been all his life at the islands, and who could only read and write and cast accounts on his arrival in the colony. That boy had resided between four and five years in his family ; and so well had he answered the expectation of his friends, and so fully had the experiment succeeded, that in eighteen months from the period of his arrival in the colony, he was able to read the Scriptures in the Latin and Greek and French languages, and to translate them from the original into Latin at the opening of the book. In consequence of the correspondence to which this offer had led, one of the Missionaries at the islands had written him on the subject of having an establishment formed for the education of Missionaries’ sons in this colony ; and he had laid the matter before General Darling, who entered into it most warmly, and would not only have given a grant of thirty or fifty acres of land in the immediate neighbourhood of Sydney, for the formation of such an establishment, but even offered to recommend to the Secretary of State to grant more effectual assistance on the part of the Government. But the whole affair had been knocked on the head, through the interference of certain individuals who had been previously

in connexion with the London Society's Mission; and although the plaintiff had virtually admitted in his own letter that he was the person who had interfered on that occasion, and thus rendered any further evidence of the fact unnecessary, he would have been able to bring it home to him, had the young man to whom he had just alluded, as having received his education under his roof, been now in the colony. That young man, he was happy to say, was now at his post, as a Missionary in the South Sea Islands, one of the best-educated Missionaries that the London Society had ever had in these seas. At this moment he was acting in the vanguard of a mission to the Samoa or Navigators' Islands, a groupe which had been designated by sea-faring men, from the savage ferocity of their inhabitants, the isles of murderers. The account of the transaction to which he had thus referred was followed up in the articles alleged as libellous with the following reflection:—

“Such was the second grievous loss which Mr. L. E. Threlkeld, Missionary to the Aborigines, was the means of entailing upon the London Missionary Society, and the cause of Protestant Christianity, in the Southern Hemisphere! It is a loss for which he would never be able to make an adequate compensation, though he should live to the age of Methuselah! But all this, and infinitely more than all this, naturally and necessarily arises, as the venerable John Newton observes, from the system of taking Tom, Dick, and Harry from their benches, their lasts, and their looms, and transforming them all at once into the Rev. Mr. Thomas, the Rev. Mr. Richard, and the Rev. Mr. Henry, &c., and sending them forth into the field of the world as Christian Missionaries, forsooth, to occupy a station in society, for which, for the most part, they have no suitable qualifications, and to exert an influence which they are so apt—even unintentionally and unconsciously—to abuse.”

Now it was self-evident, that the remarks which had been introduced in this manner were intended to be of general, and not of particular application; and sorry he was to observe, that there had been so many cases, in the history of Missions to the South Seas, to which they applied. These cases had not been confined to the Society to which the plaintiff had belonged; viz. The London Missionary Society. They had been furnished by all the three Societies that had established Missions in the South Seas and in this colony—the London Missionary Society, the Wesleyan Missionary Society, and the Church Missionary Society—inasmuch that wherever one went in New South Wales, he could not fail to meet with individuals who had once been Missionaries, but had subsequently thrown aside the Missionary character and office, and degenerated into mere worldlings; thereby bringing contempt upon the Missionary cha-



racter, and doing infinite injury to the cause of our common Christianity. This great evil was attributable in great measure to the Directors of these Societies, rather than to the individuals themselves, in having sent out unqualified persons into the Missionary field. When the London Missionary Society was first instituted, the existence of the South Sea Islands, and the singular state of their inhabitants, had just been made known to the astonished European world by our great circumnavigator, Captain Cook; and the effect which the circumstance had upon the religious world in Great Britain, was a general and ardent desire for the conversion of that singular people to Christianity. It was a period of great religious excitement; and as the London Missionary Society, which was then instituted, could not obtain such persons as they could have wished, to go out as Missionaries to the South Sea Islands, they had just to take such persons as they could get. Of some of these individuals, he was happy to have it in his power to speak in terms of the highest praise; but by far the greater number were totally unfit in regard to intellectual qualifications for the office assigned them; while others, who, in a moment of strong religious excitement, had given themselves publicly to the work of the Lord, in the presence of the religious public of Great Britain, had shown by their subsequent conduct in this colony, that "their righteousness was only like the morning cloud, or the early dew which passeth away." He belonged to a section of the Christian Church which was commonly understood to be the farthest possible from the Church of Rome; but there was one maxim of the Roman Catholics which he was not ashamed to acknowledge that he held, although a Presbyterian—that maxim was, *Once a priest, always a priest*; for he held most distinctly, that the man who was once solemnly ordained and set apart by the Church of Christ, at his own express desire, either for the work of the Christian ministry or for that of Christian missions, could never afterwards desert that work, or, to use the words of the article alleged as libellous, "doff his apostolic coat, and become a mere worldling," without being guilty of an act which implied the grossest dereliction of duty, and the lowest depth of degradation. But grossly as the plaintiff had mismanaged the London Society's Mission to the Aborigines, and humble as his own opinion was of his procedure in that capacity, it never could have entered into his heart to accuse him of the still greater enormity of deserting the Missionary work, and throwing aside the Missionary character altogether. "The man who doffs his apostolic coat to-day, and becomes a mere sheep and cattle man, a mere worldling, to-morrow," was doubtless most exactly descriptive of the Rev. Mr. Walker, formerly Wesleyan Missionary to the Aborigines, and

of various other individuals in the colony whom it would be easy to enumerate; but it neither could nor did apply to the plaintiff, who had never thrown aside his Missionary character at all.

Much stress had been laid by the learned Solicitor-General on a letter which the plaintiff had written to the defendant, after the publication of those parts of the articles on Missions to the Aborigines on which he had now commented. The plaintiff had doubtless written him a letter, offering to submit his case, as a Missionary to the Aborigines, to any competent tribunal; but he had also required him to make a full and ample apology, in the next number of 'The Colonist,' for the statements he had published relative to his expenditure of the Society's funds; and in the same breath he had characterised these statements as "a malicious misrepresentation and a wilful falsehood." Now how could either His Honour or the Gentlemen of the Jury suppose it possible for him to make an apology for his statements on such grounds as these, even supposing he had been conscious of having exceeded the bounds of strict truth, which he was confident he had not? The articles alleged to be libellous were published while he was absent on clerical duty in Van Dieman's Land. They had been written partly before he left Sydney for that colony, and partly in the public office of a Scotch merchant at Hobart Town, where it was out of his power to procure the plaintiff's pamphlet, which he had not seen for upwards of seven years. But so indelible was the impression which the perusal of that pamphlet had made upon his mind, that he could refer to the plaintiff's expenditure with perfect confidence: and he had that day been able to prove to the Court, from the precious pamphlet itself, that he was right as to the period during which the expenditure had been incurred, to a single week, and to a single pound, as to the amount. In such circumstances, how was it possible for him to write himself a liar, merely because the plaintiff desired him? He had done, however, what he conceived was his duty in such circumstances. Leaving out the introductory and concluding portions of the plaintiff's letter, which had no reference whatever to the matter in question, he had caused to be copied out from it, and published in the next number of 'The Colonist,' a category of seven statements, contained in the articles alleged to be libellous, with the plaintiff's notes and comments at full length—merely adding a few observations of his own in reply. He had thus given him the full benefit of the press—that court of appeal to which he had himself applied seven years before, when bringing his railing accusation against Mr. Marsden and the Directors; and if in the following passage, constituting the seventh count in the libellous indictment, he had been characterised somewhat uncere-

moniously, he would put it to His Honour and the Gentlemen of the Jury, whether the writer of such a letter could expect any other treatment from any man who had the smallest regard either for his own character or for the sanctity of truth :—

“ Our character as public journalists stands committed in regard to the statements put forth respecting the Mission to the Aborigines conducted by Mr. Threlkeld. We shall, therefore, hold ourselves in readiness to vindicate the correctness of these statements, whenever they are called in question in a respectable quarter and in a proper manner; but as to Mr. T.’s imputations of ‘ prejudice,’ ‘ calumny,’ ‘ misrepresentations,’ ‘ vindictive feeling,’ ‘ long-continued wrath,’ ‘ base sordid motives,’ and in short of every thing else that is inconsistent with the character of a Christian man, much more of a minister of religion, to the writer of the articles we refer to, we must first be satisfied that Mr. T. is a man of unexceptionable character and conduct himself, as a professed Christian, and especially as a missionary, before we can allow him to cast imputations of this kind upon any person whatever.”

He would now proceed to the eight count in the indictment. It was founded on the following passage in the last of the articles alleged to be libellous :—

“ Now as we had recently occasion to notice a motion which had been made in the House of Commons by T. F. Buxton, Esq., M. P., in regard to the actual condition of the Aborigines of all the colonies of the empire, we felt ourselves bound, in our editorial capacity, to take up these questions *seriatim*, and to treat the subjects they refer to as matter of colonial history. And we are not to be deterred from doing a service of such importance to the public, merely because a man, like Mr. Threlkeld, who has ruined the cause with which he was more immediately connected, and done prodigious disservice, besides, to the general interests of the Missions to the South Seas, chooses to storm and stamp, like a wild bull in a net, at any person connected or supposed to be connected with this paper, for detailing and remarking upon his extravagant procedure. We are not to be deterred from doing our duty to the public, merely because Mr. Threlkeld chooses to threaten us with a prosecution. Prosecution, forsooth! let him prosecute when he likes.”

To interpret this paragraph as imputing improper procedure to the plaintiff during his residence as a Missionary in the South Sea Islands, was to put a most unwarrantable construction upon the language employed. It had no such meaning. But if the plaintiff had managed the London Society’s grant as he might and ought to have done, it would

not only have proved conducive to the attainment of its immediate object, but been an asylum for all the Missionaries' sons in the South Sea Islands, where they might have been brought up either as handicraftsmen or as Missionaries to the South Sea Islands and to the Aborigines of this territory. And who could doubt that in this light the abandonment of the Society's grant, through the plaintiff's mismanagement, had been a prodigious disadvantage and loss to the South Sea Mission generally?

The ninth count in this libellous indictment is founded on the following passage in the comments on the plaintiff's letter, in which, in allusion to the charge of having expended £2700 for the formation of the Mission to the Aborigines within two years and a half—a charge which the plaintiff characterises in his letter as “a complete falsehood and a most malicious misrepresentation,” but which he had that day demonstrated from the plaintiff's own printed statement, was the truth and nothing but the truth—the plaintiff admits, that in six years and four months he had expended, for the Aboriginal Mission and his voyage from Raiatea, £3686. 10s. 3<sup>4</sup>d.

“Six hundred a year to be expended by a single Missionary for six years in succession, in establishing a mission to the Aborigines of this territory!—it was a scandalous expenditure; and that the man who could have been guilty of expending other people's property at such a rate, must either have lacked conscience or common sense!”

Now, he really did not know how he could retract a single syllable of this language. For whether the expenditure should be rated at £1080 a year for two years and a half, or at £600 a year for six years, he could only repeat, especially considering the source from which that expenditure was derived, “that it was a scandalous expenditure, and that the man who could have been guilty of expending other people's property at such a rate, must either have lacked conscience or common sense.” He had not accused the plaintiff of downright dishonesty; he only told him that if he did not lack conscience, he must have been destitute of common sense; and he was welcome to either term if the alternative. (At this stage of the proceedings, His Honour observed, in reference to the last observation, *Utrum mavis accipe*—“take which of them you like;”—a sentiment in which, of course, the defendant bowed acquiescence.)

He would now come to the tenth and last count in this libellous indictment. In the course of his observations on the plaintiff's procedure as a Missionary to the Aborigines, he had accused him of being instrumental, either directly or indirectly, in preventing the formation of the institution, projected by himself, for the education of the sons of



Missionaries, for the establishment of which General Darling had been so beneficently solicitous. The plaintiff, in his letter, had, indeed, disavowed all knowledge of any such institution; but he had, most unfortunately, appended to that disavowal, the following awkward admission:—

“ I may have said that I did not consider Dr. Lang to be a suitable person to instruct the children of the Missionaries, in the event of an establishment being formed in the colony on very different principles which I proposed to the Missionaries, lest they should imbibe the vindictive spirit of the tutor.”

On this passage of the plaintiff's letter he had made the following observations, which he still conceived were fully warranted, although the plaintiff had made them the ground-work of the tenth and last count of this indictment:—

“ This is a confession with a witness! The proposal which Dr. Lang submitted to General Darling *at the suggestion of a resident Missionary at Eimeo*, and of which General Darling testified his warm approbation, was, that the Missionaries' sons should be boarded and educated in the institution which His Excellency was so willing to assist in forming, *under the superintendence of a married Missionary who had resided in the Islands and could speak the Polynesian language*. Dr. Lang's connexion with it as a tutor was never contemplated. And yet, because Dr. L. was in any way instrumental in forwarding a measure of such prodigious importance to all Missionaries in the South Sea Islands, this individual, who, after ruining and abandoning the cause of his own Society at Lake Macquarie, had come to Sydney to sow discord among other peaceable communities, managed, through his influence with some weak-minded superannuated Missionaries here, to get the whole affair knocked on the head, and thereby deprived the London Society of a second and most valuable grant from the Crown, as well as of the benefit of an Institution in the immediate neighbourhood of Sydney for the education of their Missionaries' sons? Yes! this personification of Christian charity, who is perpetually harping about *vindictive feelings* in others, did all this to be revenged on Dr. Lang, merely for telling him, through the colonial press, to return to his station at Lake Macquarie, and to leave the Roman Catholic controversy to men who were able to manage it! This was the only offence which Dr. L. had given Mr. Threlkeld either directly or indirectly at the period we refer to; and to deprive the Society for this of what would otherwise have been a very fortune to every Missionary's child in the South Seas, his own included, was indeed Italian revenge. In fact, we can never think of the grievous loss which the cause of

Protestantism and the cause of Missions have thus experienced through this individual, but with the deepest regret and the utmost indignation. 'There are six things which the Lord hates ;' and the sixth, let Mr. Threlkeld remember, is, ' he that soweth discord among brethren.' "

After what he had already observed, he did not deem it necessary to make any further remarks on the subject of this portion of the charge, as he felt he could safely put it to His Honour and to the Gentlemen of the Jury, whether the plaintiff's own letter did not contain a distinct admission of the very thing with which he had been charged—sowing discord among brethren ; for, up to the period when the plaintiff was so obliging as to communicate such information to the missionaries respecting himself, he had been living on the best of terms both with the missionaries at the islands, and with those of their number who were then residing in this colony.

Having already occupied their time to so great a length, he would refrain from any additional remarks, and would now leave the case in the hands of the Gentlemen of the Jury ; appealing to their candid opinion, as to whether he had exceeded the bounds of propriety in his remarks on the plaintiff's procedure, as a missionary to the Aborigines, —whether, in fact, the articles alleged as libellous were any thing more than a fair critique on the plaintiff's own previous pamphlet. He had taken up the subject on public grounds—as a matter of colonial history in which the colonial public were deeply interested—and not, as the plaintiff alleged, as a matter of private pique and personal animosity. Neither had he taken up that subject as a mere writer for a newspaper, who had no right nor interest in the matter, and who was merely animated with a spirit of hostility towards the cause of missions altogether. On the contrary, no man in this colony would have rejoiced more cordially than himself in the success of the London Society's Mission to the Aborigines ; no man could more sincerely deplore its entire failure and ruin through the gross mismanagement of the plaintiff. As a contributor to that society, he had not merely thrown into its treasury the paltry subscription of a guinea a year—the usual extent of Christian benevolence in these days of coldness and indifference—he had taken one of the Society's missionary youth from the Islands, and given him a liberal education, and fitted him for returning to his post in these islands, as a well-furnished labourer on the missionary field. Of all persons in the colony, therefore, he had the best right to inquire into the plaintiff's mismanagement of the Society's funds. In fine, he felt confident as to the result of this action ; assured that the Gentlemen of the Jury would

show by their verdict that they would not suffer any unwarrantable interference with the liberty of the press in this colony.

Dr. Lang's address to the jury, of which we have only given an outline, occupied four hours and twenty-five minutes, and was listened to throughout with the utmost interest by an unusually crowded Court. The Court then adjourned till the following day.

#### TUESDAY, March 22.

The following evidence was then heard for the defence :—

Archibald M'Leod, Esq. I have lived in this and the sister colony about fifteen years, both as a settler and a government officer. I have experienced many of the difficulties attending the formation of a settlement in the interior. I think it would be as easy to settle a family for instructing the Aborigines as for any other purpose; in either case, a house would be required, and a few acres of cleared land. The expense attendant on a settlement depends on many things; but I have known many respectable families who have settled in the interior for a less sum than £500. These families had no salary afterwards: a salary of £150 yearly would make a great difference.

Cross-examined. I know but little of the expenditure necessary for a missionary. If a settler wants to attach the Blacks to his place, he must bribe them with tobacco and victuals.

The Rev. R. Wylde. I am a licentiate of the Church of Scotland; I have read the articles in 'The Colonist,' which form the subject of the present action; I am accustomed to read reviews; supposing the facts stated to be true, I should consider this a fair critique; I have read much severer ones, where they were much less called for, supposing the statements true; when the word 'untrustworthy' is used in an absolute sense, I conceive it to mean dishonesty; but used as it is in the passage before me, I do not think it bears that meaning. Referring to the extract from Mr. Threlkeld's letter, I do not believe that if Mr. T. alleged that Dr. Lang, as a tutor, was likely to infuse a spirit of vindictiveness into his pupils, that such information was likely to produce unanimity; if Dr. Lang was on good terms with those to whom it was said, I should think it would be likely to cause discord; the passage reflecting on the Missionary who doffs his Apostolic coat cannot apply to the plaintiff if he still continues to wear it.

Cross-examined. I conceive it to be impossible that Mr. Threlkeld,

if he still wears the Missionary coat, can be meant here; I take the words in their literal sense; taken in connexion with the last line of the song, "The grant is an excellent *run*," I still cannot believe it to apply to the plaintiff, unless he has become "a *mere* sheep and cattle man, a *mere* worldling;" I suppose it was intended that whomsoever the coat fitted, they should wear it.

Re-examined. If I had been aware that one Missionary had become a settler, another a constable, and a third a baker, I should have thought them much more likely to be meant.

Mr. Raymond, jun. I am a clerk in the Colonial Secretary's Office. I produce a letter from W. A. Hankey, Esq. Treasurer of the London Missionary Society, to His Excellency Governor Darling, of date August 18, 1829. The following is the purport of Mr. Hankey's letter:—

"Although the undertaking had been entered upon without the sanction of the Directors, yet they were unwilling to withdraw from it their support, provided the scale of expenses had been compatible with the burdened state of their finances, and the progress of it satisfactory to their minds. In both these respects he was sorry to state, that their hopes had been greatly disappointed. The expense had proved incompatible with their other engagements, and the conduct of the individual entrusted with its management quite unsatisfactory. Their endeavours to regulate his expenditure were treated with disregard and disrespect, till they were under the painful necessity of resorting to the last means of controuling him, by dishonouring some of the bills he had drawn upon them. The indecent manner in which Mr. Threlkeld saw fit to resent this act of protection of the Society, by printing a virulent pamphlet (charging the Society in his account with the expense), and circulating copies of it in England, as well as in the colony, and among the other stations of the Society, inevitably so far injured all the proper feeling required in the relation subsisting between him and them, that by a letter addressed to him, dated 30th May, 1828, they had communicated their resolution to dissolve that relation, and to defray the expense of his and his family's passage to England, in case he chose to return thither."

After expressing his regret at such a result, and observing "his" behaviour and proceedings of Mr. Threlkeld had been such ~~as~~ <sup>on him</sup> to frustrate the design of the mission;" Mr. Hankey proceeds that "Mr. T. had continued, in virtue of a Resolution <sup>together</sup>, and to which had subsequently been superseded <sup>together</sup> but that they had now resolved no longer to continue on account of the Mission, but to abandon the undertaking."



I produce a copy of documents ordered by the House of Commons to be printed, among them is a dispatch from Lord Goderich.

The Solicitor-General objected to this evidence being received, and cited a case in support of his objection.

His Honour Judge Burton sustained the Solicitor-General's objection.

The Rev. Samuel Marsden. I know that Mr. Threlkeld was employed as a Missionary by the London Missionary Society, for which I am agent. Messrs. Tyerman and Bennet were appointed by the Society as a Deputation, to visit the various stations of the Society; they brought letters to me from the Society. After visiting the Islands, they came to Port Jackson, bringing Mr. Threlkeld with them. At this time the Wesleyan Mission to the Aborigines had been abandoned, and they expressed a wish that Mr. T. should be employed as a Missionary to the Aborigines. He was appointed, and directed to proceed to Lake Macquarie. The Deputation wished me to take charge of the Mission; but I refused, unless I should have some controul over the expenditure. I considered Mr. T. perfectly unequal to the task, because he had no experience to fit him for such an undertaking, and I felt certain he would fall into errors; I had done so myself, and I knew that others had done so. The Deputation, contrary to my advice, gave Mr. Threlkeld liberty to draw upon the Society to any amount; they also directed R. Campbell, Esq., to pay his bills. A bill for £500, which he had drawn, came back protested. I was requested by the Society to pay the amount and discontinue the Mission. I had directions, if Mr. T. chose to continue the Mission, to offer him £250 per year, to which I offered to add £50 on my own responsibility; but he refused to accept less than £500 per annum.—Mr. Threlkeld has only £150 a year now, with allowance for four convict servants.

Cross-examined. I did not think Mr. T. hardly treated by the Directors; I am aware that Mr. T. was sued by Mr. Scott for the bill, but I never thought he would send him to prison; custom has established the use of tobacco, but I should not consider it absolutely necessary in forming a Mission. I was not aware of any proposal being made by Dr. Lang for the establishment of a school for the children of the Missionaries; I do not think it disreputable for Mr. T. to hold office under Govern-

†: the articles in 'The Colonist' would, I think, have been better  
*Mr.*

“ Esq., (a juryman) produced a statement of the ac-  
 and his father, up to the period of the abandon-

*tion of ever having heard of a proposal*

by Dr. Lang for the education of the children of the Missionaries, till I saw it in 'The Colonist.' There may have been such a proposal, but I have no recollection of it. The salary for a Missionary at the Islands is £30 for a man, £20 for his wife, and £5 for each child. That was Mr. T.'s salary at the Islands.

Cross-examined. When I was in London, Mr. Ellis showed me a letter from Dr. Lang, accusing Mr. Threlkeld of squandering the funds of the Society.

Re-examined. *The subject of that letter was Lang's proposal for the establishment of a school for the children of the Missionaries.*

This closed the evidence for the defence.

The Solicitor-General rose to reply :—

It now became his duty to reply upon the evidence which had been brought before the Jury both by the plaintiff and defendant, as also to the able speech of the defendant. The defendant had thought proper to apologise for not having employed counsel in the case ; but no counsel, no matter how talented, could have exhibited so much eloquence and talent. He has unfolded his own views in a way which he was certain no barrister could have done for him ; he (Mr. P.) had not the presumption to think that he could compete with Dr. Lang. The learned Doctor informed you, that the reason why he dispensed with the assistance of counsel was, because the interests of religion were concerned. Now, he (Mr. Plunkett) could not but feel for his client, who, differing as he did from him in religious belief, had yet resolved to trust his case in his hands. Defendant had said that Protestants all agreed in some points ; but in none did they more agree, than in differing from the religion which he professed. In justice, however, to himself and his religion, which was between God and himself, he would take the liberty of denying the truth of the often-refuted statement, that Catholics are opposed to the spread of the Gospel. He went along with his Rev. client, and also with the defendant, in wishing heartily and sincerely the diffusion of the Gospel through the world. It was said in these articles, that these were the dark days of Popish ascendancy. God forbid that we should have any such ascendancy. He agreed with the defendant in wishing that there should be no ascendancy, save that of virtue and morality. It matters not to him what the religion of another is ; that is a question between him and his God. He would say in the words of the Catholic poet Dryden,

“ For modes of faith let zealous bigots fight,  
His can't be wrong whose life is in the right.”

The defendant has told you in his powerful speech, that Threlkeld had no right to bring an action for libel. In reply, he would ask Dr. L., is a man, because he belongs to the sacred cloth, to be called a robber? Is he to be held up before the public to scorn and derision? He says, it is quite incongruous for a clergyman to bring an action for libel; but where is the incongruity? Is it not with him who makes the attack? A man who is insulted and is compelled, by the false rules of honour, to justify himself, is to be pitied; not the man who provokes him to do it. That is exactly the case here. Mr. Threlkeld has used every means in his power to avoid this. Dr. Lang says, why has he not proposed an arbitration? What arbitration could have satisfied Dr. Lang? and if the arbitrators declared the libels were not justified, would he have published in 'The Colonist' that they were so? No, he never would have done so. Why did he not treat Threlkeld like a brother? Threlkeld wrote his letter, smarting under wrongs sharper than any man had ever before suffered. Besides, although he is a minister, has he not the feelings of a man? Is he to be held up not only as a disgrace to his cloth, but as a public speculator? Could he do otherwise than take up the subject with all the warmth of an injured man? He wrote that letter as a private one, and never expected that it would have been published; yet Dr. Lang tells you, he thought he had done him ample justice by publishing his letter. In his introduction to his remarks on it, he picks out all the expressions which Mr. T. had, under the influence of excited feelings, applied to him. Was that done with a friendly feeling? Dr. Lang told you that another course than this was open to Mr. Threlkeld for redress. Does he mean that Mr. Threlkeld should have commenced a paper war? You have heard what a powerful speaker and also what a powerful writer Dr. Lang is; his talents are well known. And had Threlkeld ventured to ask a favour from 'The Gazette,' 'Herald,' 'Monitor,' or 'Australian' newspapers, and obtained liberty to write in their columns, what would have been the consequence? It would have called forth a rejoinder three or four columns in length from 'The Colonist.' Dr. Lang told you, that Mr. Threlkeld had before had recourse to the press; that he had thrown himself upon it, and should now have abided by it. But what was the fact? This pamphlet, upon which he relies with so much confidence, was not meant for circulation; it was not meant for sale; it was meant only to set his character right with the Directors. And could it be said, that if for convenience he had certain documents printed for the purpose of sending home, that any man would be justified in getting hold of his pamphlet, and holding him up to ridicule, merely because he had put it in print? The only excuse Dr.

Lang has made for libelling Mr. Threlkeld is, that he libelled others, and that Mr. T. came in for his share among good company. He denies the application of that part of the article to Mr. T. which speaks of the doffing of the apostolic coat; but you must take it in connexion with the rest of the article, with this catch, for example, from an old song,—

“The grant is an excellent run.”

What is meant by a run? It is not running after natives,—it is a run for cattle. No matter what may be the talent or the genius of Dr. L., he cannot get over the fact that this applies to Mr. T. He would call their attention to that passage which says, £600 per annum was spent for so many years, and that no man in his senses could expend such a sum without he either lacked conscience or common sense. After having repeated it over and over again, Dr. L. said he had nothing to retract; Threlkeld might take which he liked. Of the two alternatives, it certainly would be worse to lack conscience, than common sense. He lays great stress upon the items of expenditure he has put before you. These expenses commenced at Raiatea in the year 1824. But have the Society complained of these expenses? No. And is it for Dr. Lang to complain, after seven years have passed over? It mattered not when the expense was incurred; Threlkeld had a right to charge it. It would weary them too much if he were to go through the paragraphs word for word, which the Rev. Doctor read with so much emphasis; but he would call their attention to the 4th, which says, “It is truly lamentable to think what mischief has arisen through incompetent and untrustworthy individuals.” As to that word ‘untrustworthy,’ which Dr. Lang tells you merely means incompetency, and is not intended to impute moral delinquency, I will ask you, gentlemen, to exercise your own common sense, and say what could be the meaning of the writer, when he puts it in contradistinction to ‘incompetent?’ What would be the use of coupling them with the conjunction *and*, if they had both the same meaning? Would so classical a writer as Dr. Lang be guilty of such tautology? If you had an overseer whom you were going to discharge, a man who might be honest, but did not know his business, would you do him justice, if you said, “I discharge him, because he is an untrustworthy man?” No; you would say, that he was incompetent, that you had nothing to say against his moral character. If you did otherwise, the servant would not take the character. If he was fool enough to take it, what would be the consequence? Why, his new master would say, you are a rogue upon your own showing. All the eloquence of Cicero could not persuade any person but that the word meant a



moral imputation. The defendant stands convicted, upon his own confession, of calling the plaintiff an untrustworthy individual, or, in other words—a thief. Then the next part of the libel, that of “being liberal of other people’s goods,” following in the next sentence but one,—does it not imply an improper squandering of money which had been entrusted to him by the Deputation? As to the item of tobacco, which could not escape the philippic of the defendant, he cannot, he says, find any passage in Scripture to authorise its use. Why, certainly it is not to be found in Scripture. But I am sure that if the twelve apostles themselves came down amongst the Aborigines, and did not give them either trinkets or tobacco, they would not be able to get them to listen to their preaching; and I question whether they would even be allowed to remain amongst them for as brief a period as three days; for the defendant knows, that if they wished to make them useful, they must make them presents. It happened also that in that very neighbourhood the most vicious Blacks in the colony were to be found. Mr. Threlkeld anticipated, if left alone at the station, that he would have become a prey to the ill-disposed Blacks. He actually was plundered; the men were tried in this Court. As to the letter which had been produced, it was a matter exclusively between the Society and the Government, giving an excuse for relinquishing the grant the Government had made with so much liberality. This letter, in itself, shows, that the original fault rested with the Deputation,—two inexperienced men, with whose views the Society did not agree. The Directors say, “had we been consulted before it was begun, we would not have acceded to it.” This shows that the Deputation were ignorant of the resources of the Society, or they would have taken the sound and wise advice which Mr. Marsden gave them. But the Deputation did not limit Threlkeld, and he went upon the best of his judgment. It was the Deputation, therefore, who were in the wrong; and if he (T.) exceeded their finances, of the extent of which both he and they were ignorant, it was not Threlkeld’s fault. If it is any disgrace to receive £150 from the Treasury chest, it must be a double disgrace to receive twice as much. But when we see that the plaintiff for so many years carried on the Mission at his own expense, it was only creditable to the Government that they should pay him when he was out of the service of the London Society. Before he was employed by them, they must have made some inquiry respecting him, as being a man of morals, of honour, and integrity. It was upon the pledge given by the Deputation, that he involved himself in pecuniary embarrassment. Why, it is upon this very letter that General Darling, when he heard that the London Missionary Society had abandoned the grant altogether,

and that Threlkeld was no longer in their employment—it was then that he was appointed by the Government. Therefore, although this letter was given in evidence against Threlkeld for having spent so much money, we find it was actually upon its receipt, that he got the appointment. Threlkeld came here with the deputation, in August, 1824, and was not dismissed until September, 1827; therefore it will be seen, that he has been longer in the employment than Dr. Lang would have you to believe; he says only two years and a half, whereas it is upwards of three years. Another charge against him, is that of “sowing discord among brethren.” You will, I am sure, expect strong proof of the justification to that effect. But have you a particle of proof? A witness has been put into the box to prove that he was sowing discord, and thus prevented Dr. Lang from establishing a school for the benefit of the Missionaries’ children; but have you heard any evidence to prove that fact? On the contrary, the evidence is all the other way. No doubt, Dr. Lang may have heard of it; but is that a justification to any man, to hold another up to his brethren as a person of such a character? I do not mean to say Dr. Lang has not been informed of it; but it was highly imprudent and improper to designate him in his sacred character as a person wishing to sow discord. But Dr. Lang says, he has an admission in Threlkeld’s own letter to that effect. Threlkeld says, that he never saw nor heard of any plan for such a school, and therefore could not have opposed it. He adds, I may have said that Dr. Lang was not a proper person to establish a school for such a purpose. That is the only expression that he can lay hold of. It is very possible that Threlkeld might have spoken to other missionaries, and, when talking about their own business, they might talk casually on the other. All these expressions, however, are contained in a private letter, which is the same as from one brother to another, and would never have seen the light, had it not been for Dr. Lang himself publishing it. Dr. Lang now says, he disclaims imputing dishonest motives to Mr. Threlkeld; but he must have blindfolded himself not to see what effect his statements would have before the world; he must be very fond of the emanations of his own pen, ere he can believe them to be so harmless. If Threlkeld had interfered with the Scotch Church, or the Presbyterian Ministers, why, Dr. Lang would have been up in arms, and he has a press of his own to defend himself. He says, he would not have brought an action; but if he had not ‘The Colonist’ at his back, we would have him here making a speech as long as that we heard yesterday. If I could make such a speech for my client, I would imitate it now; but I must leave

it to you to imagine what I should have said. The speech of Dr. Lang was so long, so able, and so powerful, I cannot attempt to follow him in the course of it. I know the disadvantage I labour under in following him so far as I have gone; however, he derived an advantage from being allowed to travel out of the direct course, so as to make an impression upon the jury, which counsel are not allowed to do. He would bring his remarks to a conclusion. We have stated in our declaration, that we were held up as a person unfit to be a Missionary—held up as a counterfeit that had doffed our cloak, in order to get under the broad banners of episcopacy. We are also charged with being a sheep and cattle breeder. I ask, has the defendant proved any of these? What right has he, therefore, to claim a verdict? He has said repeatedly, that he is willing to make reparation, if he is wrong; he must therefore bear with the consequences. This action was first brought against the editor of the paper containing the libellous articles; but defendant came forward and avowed himself the author. The boasted Freedom of the Press, therefore, Dr. Lang cannot claim; he is not the editor; but even if he was, he ought to have gone to Threlkeld as a friend, as a brother. The Freedom of the Press can never be so abused as to allow any man to hold another up to ridicule and contempt. I am sure you will give the whole amount of damages laid in the declaration; and even that will be for my client a poor compensation. I will now say no more, but will be disappointed indeed if you do not give the whole damages laid in the declaration.

His Honour Judge Burton then summed up the evidence at considerable length; observing very feelingly on the peculiarity of the case, and expressing his sincere regret that it should ever have come into Court at all, intimating at the same time his own impression that it would injure the cause of our common Christianity.

The Jury then retired, but returned to Court in about half an hour, stating their inability to come to a decision, and requesting that a juror might be withdrawn. His Honour having informed them, however, that he had no authority to accede to such a proposal, they retired a second time.

During their absence, His Honour having suggested to the parties that they should withdraw a juror, and leave the matter for his decision, the defendant expressed his entire willingness to do so, and observed that he had no intention whatever to impute moral delinquency to the plaintiff. The plaintiff, however, having refused to accede to this arrangement unconditionally, it was agreed to leave the case in the hands

of the jury. After having been absent about an hour and a half, the jury again returned to Court, and asked His Honour whether they could give such a verdict as would leave each of the parties to pay his own costs; such being the arrangement which they had conceived to be equitable in the case. His Honour, however, having told them that no such verdict could be received, a verdict was given for the plaintiff: damages, *One Farthing*.

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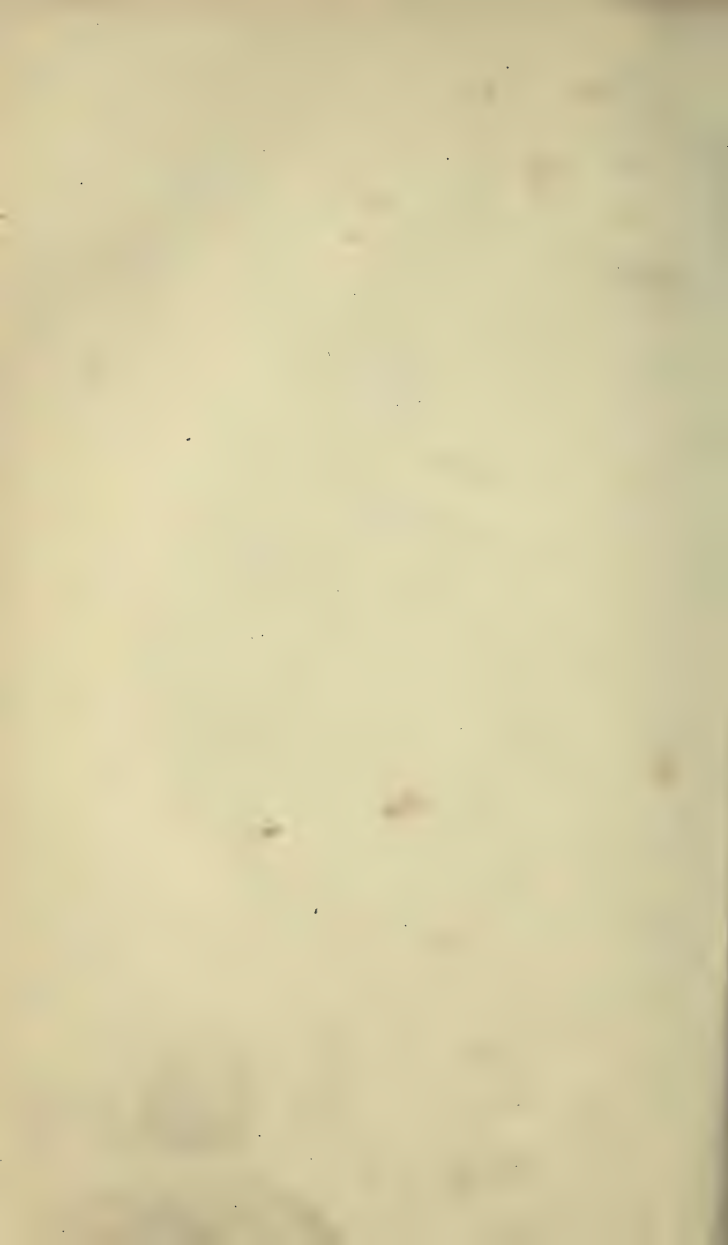
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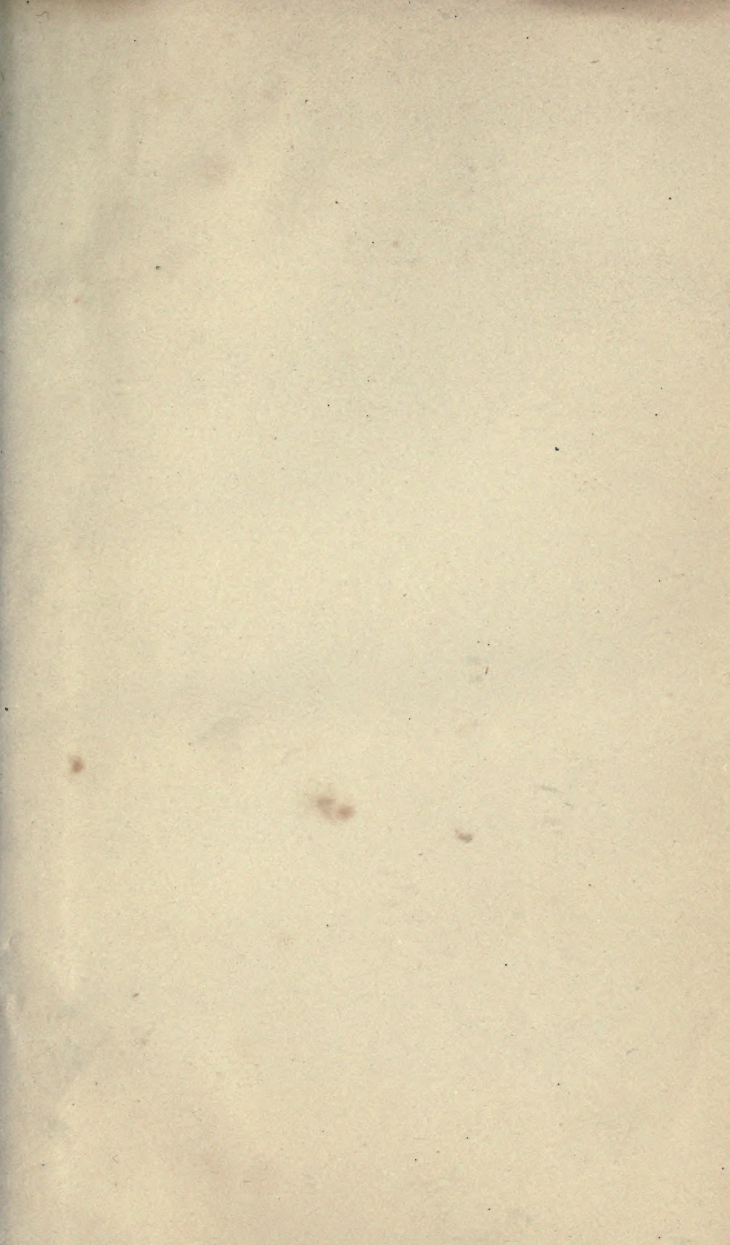
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